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BELARUS: "To prevent them from continuing their worship service"

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

The Prosecutor who authorised a six-hour raid on a Protestant Sunday worship service in a private home in eastern Belarus has refused to explain why it happened. "It was an official action and I can't discuss it," Vitaly Kovalev, Prosecutor of the Chaussy District, told Forum 18 News Service. He also refused to say what will be done with boxes of Bibles, Christian books and films confiscated during the raid, or whether the church's pastor, Irina Marshalkovskaya-Grik, will face further action. Anna Danisevich, an official of the district Ideology Department, led the raid with four police officers and three "witnesses" as some 20 church members were singing hymns. Danisevich denied the raid was a raid. "We acted strictly in accordance with the law. We live in a democratic state," she claimed. Asked why she and officials stayed at the house for six hours, she told Forum 18: "To prevent them from continuing their worship service." Meanwhile, the trial of Jehovah's Witness conscientious objector Dmitry Smyk is set to resume on 6 November. Also, a roundtable in Minsk to discuss the text of a new Religion Law proposed by human rights defenders is hoped to take place on 13 November, despite obstruction by the authorities.

Asked why she and four police officers spent six hours raiding a private house where a Full Gospel Protestant church was holding its Sunday worship on 25 October, Ideology Department official Anna Danisevich told Forum 18 News Service: "To prevent them from continuing their worship service. They have no right to meet." Despite this, she insisted: "We live in a democratic state." The church's pastor, Irina Marshalkovskaya-Grik, told Forum 18 the raid in the village of Gorbovich in Mogilev [Mahilyow] Region left church members frightened and in tears.

The Prosecutor who approved the raid refused to explain why he authorised it. "It was an official action and I can't discuss it," Vitaly Kovalev, Prosecutor of the Chaussy District, told Forum 18 on 28 October. He refused to say where the boxes of Bibles, Christian books and films confiscated during the raid are being held or what will be done with them, or whether Pastor Marshalkovskaya-Grik will face further action.

Chaussy District Ideology Department official Danisevich arrived at the private home accompanied by four police officers and three "witnesses" at about noon on 25 October, when about twenty church members were singing hymns, Marshalkovskaya-Grik told Forum 18 from Gorbovich on 26 October.

The pastor complained that the Prosecutor's warrant authorising the "inspection" gave no reason. "They came in without my permission, turning off the electricity," she told Forum 18. "They photographed every room in the house." She said one of the rooms in the house was locked and she did not have the key, but police merely broke down the door.

Marshalkovskaya-Grik complained that each individual church member was questioned separately, with a 17-year-old girl questioned in a police car without her parents being present. When the pastor and several other church members refused to sign what the police described as "interrogation records", they threatened charges of "resisting the authorities", she said. Some church members were so intimidated by threats to oust them from their jobs or – if pensioners – to take away their homes that they signed.

Marshalkovskaya-Grik said that police confiscated eight boxes of Christian books, including New Testaments, and films.

Ideology official Danisevich denied categorically that the raid was a raid. "There were no threats, no interrogations – this was not a raid," she told Forum 18 from Chaussy on 27 October. "All this was approved by the District Prosecutor (...) We acted strictly in accordance with the law." She added that the church cannot hold religious meetings without state registration.

Under the 2002 Religious Law, all religious activity requires state approval.

Danisevich refused to tell Forum 18 why five officials and three witnesses were needed to raid a private home just because a religious meeting was underway. Asked why the officials left church members feeling frightened after six hours of interrogation, Danisevich responded: "Frightened? That's ridiculous. We're not here to make people frightened."

Asked repeatedly why eight boxes of books and films were confiscated, Danisevich refused to comment. She also refused to say where they are being held or whether they will be returned.

District Prosecutor Kovalev insisted to Forum 18 that if Marshalkovskaya-Grik is not happy with what happened, "she can complain". He then put the phone down.

Registration denials

Pastor Marshalkovskaya-Grik told Forum 18 that despite being refused state registration her congregation was not touched before the 25 October raid. "I don't want to hide," she insisted. "People know we meet."

She said the congregation's registration application of some four years ago was approved by Chaussy District but vetoed by Mogilev Region. "The KGB went round all those who signed the registration application questioning them on what doctrine we believe. Some of the people didn't know exactly everything on doctrinal questions – it takes time for them to learn." She maintained officials used this as a pretext to deny registration.

Despite being denied registration, the district authorities told the church at the time that it could meet, Marshalkovskaya-Grik added. "But officials in the District Ideology Department have changed recently."

Conscientious objector's trial to continue

Meanwhile, the trial of Jehovah's Witness conscientious objector Dmitry Smyk – which began in the south-eastern town of Gomel [Homyel] on 8 October – is set to resume on 6 November. He told Forum 18 that ahead of the 29 October hearing scheduled at Gomel's Central District Court, the Jehovah's Witnesses submitted a document affirming that the group "helps people to understand their faith and the Bible" and does not order individuals what to do.

Smyk said that when he arrived at the courthouse on 29 October, Judge Grigory Dmitrenko came out and said he had received no letter from the Military Commissariat to say whether the army unit they were proposing to send him to "has the conditions for people who cannot serve for religious reasons". The Judge therefore set a new date of the afternoon of 6 November for the next hearing.

Smyk is being tried under Article 435 Part 1 of the Criminal Code, which punishes refusing the compulsory call-up to military service with a fine or imprisonment of up to two years. First time offenders can be absolved of criminal responsibility in the case of "serious circumstances". The first hearing was held on 8 October, with a second hearing eleven days later (see F18News 20 October 2009 http://www.forum18.org/Archive.php?article_id=1364).

Smyk believes that the 6 November hearing might be the last, as trials should take place within a one-month period.

The prosecution of Smyk is the first known prosecution of a religious conscientious objector to compulsory military service in the past nine years. Several other Jehovah's Witnesses who have also refused compulsory military service on grounds of religious faith are being prosecuted, including Aleksei Boinichev and Aleksandr Belous, also from Gomel. Smyk reports that their cases are "quiet" at the moment.

Will roundtable on proposed new Religion Law be allowed?

A roundtable to discuss a proposed text for a new Religion Law billed as meeting Belarus' international human rights commitments could not go ahead due to obstruction from the authorities in the capital Minsk, organisers told Forum 18 on 30 October. They have set a new date of 13 November and arrangements are underway to hold the event in the Planeta Hotel, also in Minsk.

For Religious Freedom and the Legal Transformation Centre, two campaigning groups active against the current Religion Law - which seriously violates Belarus' international human rights commitments - drew up the text for an alternative Religion Law, which they would like to see discussed openly and taken up by politicians.

Plans to hold the roundtable on 27 October came to nothing as the two venues they approached refused to lease, at least one of them on direct orders from Minsk City Executive Committee. A director of the Johannes Rau International Education Centre – a joint German-Belarusian initiative – told Forum 18: "Unfortunately, the Minsk City authorities, one of the founders of our Centre, put a veto on this request" (see F18News 19 October 2009 http://www.forum18.org/Archive.php?article_id=1363). (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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