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BELARUS: Raids and fines restart, eviction again suspended for now

By Olga Glace, Forum 18 (<https://www.forum18.org>)

Raids and fines against Baptists in Belarus who meet for worship without state permission have re-started, Forum 18 News Service notes. After separate raids on Sunday meetings for worship at both congregations of the Council of Churches Baptists in the south-eastern town of Gomel, three local leaders have been fined. Pastor Nikolai Varushin was fined about one month's average local wages, and Pastor Pyotr Yashchenko and Valentin Shchedrenok were fined much smaller amounts. These are the first such raids and fines in almost a year. Police told Forum 18 that one of the raids had been initiated by the KGB secret police, with the aim of "revealing criminal groups of the unregistered Baptists". "We [the police] deal with family quarrels and street fights, and are not interested in religion," the police officer told Forum 18. "In this mission we only lent assistance." And New Life Full Gospel Church in the capital Minsk has once again received an eviction order, which was today (14 June) rapidly suspended – but not cancelled.

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And on 13 June, New Life Full Gospel Pentecostal Church in the capital Minsk received a Higher Economic Court order requiring the Church to vacate its building within seven days. However, on the morning of 14 June, the Court suspended the eviction order at the request of the housing authority which had initiated it. These events are similar to the last eviction order and its cancellation in November 2012. Church lawyer Sergei Lukanin thinks the strategy for such cases is deliberate. In his opinion housing authorities and the Higher Economic Court are the pawns in a game and do whatever they are told by the government.

Two Gomel raids, three fines

Council of Churches Baptists – such as those raided and fined in Gomel - do not seek state registration in any country they operate in, and in Belarus exercising freedom of religion or belief with other people without state registration is illegal (see Forum 18's Belarus religious freedom survey at http://www.forum18.org/archive.php?article_id=1796).

None of the three fined Baptists are prepared to pay the fines, arguing that they did nothing wrong in leading a meeting for worship.

Police and court officials insisted in both cases that the Baptists' meetings for worship needed the permission of Gomel City Executive Committee. Anna Shidlovskaya, the head of its Ideological Department, put the phone down on 14 June as soon as Forum 18 asked her why the Baptists were raided and fined and why people need the Executive Committee's permission to meet for worship

Council of Churches Baptists noted to Forum 18 that the raids and fines were the first against them in almost a year. They called for the fines to be cancelled, and to be allowed to meet without obstruction, as they hold "peaceful Christian services in private homes and do not disturb public order at all". This was the first raid on the congregation since 13 February 2011, when police also confiscated religious materials (see F18News 30 March 2011 http://www.forum18.org/archive.php?article_id=1556).

February raid

On 24 February, police raided the Baptist congregation in Gomel's Railway District, which meets in a private home. About 20 police officers took part in the raid, claiming to be responding to a complaint from neighbours, Pastor Nikolai Varushin told Forum 18 from Gomel on 31 May. "I asked them why you are coming, you know that we are having a religious meeting and nothing more", Varushin told Forum 18. "But they replied that they had been given instructions and have to follow them."

Police also – against the law - questioned children present without permission from their parents.

February fine

On 10 April, the Railway District Court found Varushin guilty and fined him 4,000,000 Roubles (about 2,600 Norwegian Kroner, 350 Euros, or 460 US Dollars). Local Baptists told Forum 18 that this is equivalent to about one month's local wages. Varushin told Forum 18 that this would be deducted from his salary at a rate of 20 per cent each month.

"This fine is my award, as it's better to be punished for kind deeds than for evil ones," Varushin told Forum 18. "We have our eternal laws which we can't violate. We are ready to take sufferings, fines, and even death, but we'll be faithful to God's law."

Forum 18 asked an official of Railway District Court on 3 June why the fine was so large. But the official who answered the phone, who would not give his name, stated that information on the case could only be disclosed only to those who were involved.

Varushin was convicted under Article 23.34, Part 2 of the Code of Administrative Offences, which punishes organisers who violate regulations for holding demonstrations or other mass public events. This is the first time since April 2012 (when Jehovah's Witnesses were fined) that the authorities have used this Article against people meeting for worship without state permission (see Forum 18's Belarus religious freedom survey at http://www.forum18.org/archive.php?article_id=1796).

Pastor Varushin's activity broke the Law on Mass Events, as he "organised and conducted a meeting of citizens without appropriate permission from Gomel City Executive Committee". The verdict also records his insistence to the court that leading a meeting for worship "does not constitute a crime".

"Many of us, about 50 people, came to the Court to demonstrate our support for each other," Varushin told Forum 18. He appealed against the fine to Gomel Regional Court, but on 26 April it upheld the lower court's verdict.

April raid

On 14 April the Baptist congregation in Gomel's Soviet District, which also meets for worship in a private home, was raided. About ten police officers broke into the private house where Pastor Pyotr Yashchenko was leading Sunday worship, blocking all the exits. "They stationed a police officer at every gate and every door," Yashchenko told Forum 18 from Gomel on 10 June.

Officers demanded that the Baptists stop worshipping, and then audio recorded the meeting, took photographs, and interrogated those present. They also took down their internal passport details and home addresses.

Yashchenko added that church members were scared, as this was the first raid on their congregation and unexpected. "God knows what their intentions were and what will be the consequences," he told Forum 18. He noted that although many church members were frightened by the raid, most continue to attend meetings for worship regularly.

During the raid and the house search, police confiscated several boxes of religious literature, as well as personal religious literature from a number of those present. It remains unknown why literature was confiscated and where it was taken.

"Revealing criminal groups of the unregistered Baptists"

The duty officer at the police station whose officers participated in the raid – after consulting colleagues – told Forum 18 on 11 June that he remembered the raid. The officer – who would not give his name - said it had been initiated by the KGB secret police, with the aim of "revealing criminal groups of the unregistered Baptists". "We [the police] deal with family quarrels and street fights, and are not interested in religion," the police officer told Forum 18. "In this mission we only lent assistance."

KGB officers in Gomel refused to discuss why the Baptist service was raided, insisting to Forum 18 on 12 June that the information is "classified".

May fines and June appeal

On 31 May, Judge Sergei Vlasov of Soviet District Court fined Yashchenko and Valentin Shchedrenok (who was preaching when police broke in) 200,000 Roubles (about 130 Norwegian Kroner, 17 Euros or 23 US Dollars) each. In his verdict, Judge Vlasov noted that "the education of the individuals might be achieved by giving them an administrative punishment in the form of a fine". At least 20 church members came to the court to support their two leaders.

Pastor Yashchenko commented that the fine he received was minimal, compared to the 20 times larger fine imposed on Pastor Varushin in April.

Both Baptists were found guilty of breaking Administrative Code Article 23.34, Part 1. Unlike Part 2, which punishes those like

Varushin who are "organisers", Part 1 punishes those who "conduct" illegal demonstrations or other mass public events. "We refused to sign the protocols as we are not guilty," Yashchenko told Forum 18.

Forum 18 was unable to reach Judge Vlasov at the Court on 7 June.

Also on 31 May, the owner of the house where the church meets, Andrei Tupalsky, was summoned to the City Executive Committee, where he was warned that next time he would face criminal prosecution, Baptists told Forum 18.

At the trial no mention was made of the literature confiscated during the raid.

Yashchenko and Shchedrenok have appealed to Gomel Regional Court. The appeals are due to be held on 21 June, the Court Chancellery told Forum 18 on 14 June.

Yashchenko told Forum 18 his appeal argues that it was illegal to disrupt a peaceful meeting and interrogate the participants. "It is unlikely that we'll be acquitted, since the authorities force us to get registered", he commented. "But while there is no freedom of New Testament preaching, registration is out of the question."

Another eviction order, another suspension

On 13 June New Life Church in Minsk received a Higher Economic Court order requiring the Church to vacate its building within seven days. The order was dated 31 May and has been seen by Forum 18. As soon as the Church received the eviction order, it called a special prayer meeting on the evening of 13 June to pray for the preservation of their building and the speedy recovery of their pastor Viktor Goncharenko, who is in hospital after suffering a stroke.

However, on the morning of 14 June, the Church learned that the housing authority which initiated the eviction had recalled its request from the Court a week earlier.

New Life has been struggling since 2002 to keep control of its private church property. This is a renovated cowshed on the edge of the city, which the authorities claim cannot have its use changed into a church. However, since January 2001 meetings for worship by a Belarusian Orthodox Church (Moscow Patriarchate) parish in a converted railway carriage 500 metres (yards) away from New Life have faced any problems related to the railway carriage's legal status or use as a place of worship. In November 2004 police by mistake visited the Orthodox Church thinking it was New Life Church (see eg. F18News 21 February 2005 http://www.forum18.org/archive.php?article_id=516).

Higher Economic Court executor Olga Shcherbovich, who signed the eviction order, told Forum 18 on 14 May that the recall procedure was underway as the housing authorities had retracted their request. At a hearing at Minsk City Economic Court later in the day, in a decision seen by Forum 18, Judge Andrei Avdeyev formally suspended the eviction order.

"We asked for it to be cancelled, but the judge said this could not be done as the housing authority had asked for it to be suspended, not cancelled," Church lawyer Sergey Lukanin told Forum 18 after the hearing. "The judge said verbally that the maximum such an order can be suspended for is six months, so they could come back to us at any time within this period." He added that the housing authority had asked the court for the suspension on 5 June. He did not know why the eviction order had been delivered to the church on 13 June, a week later the same authority had asked for its suspension.

Why?

Lukanin said that he did not understand the logic of the authorities' actions. "Now they are about to deprive us of our church building, then they recall the order and send it to the archives, later they resume it and then recall it again," he complained to Forum 18 on 14 June.

The last eviction order New Life received was on 27 November 2012. After protests, the authorities cancelled the eviction order too (see F18News 5 December 2012 http://www.forum18.org/archive.php?article_id=1776). That eviction order came amid wider moves against the political opposition (see Forum 18's Belarus religious freedom survey at http://www.forum18.org/archive.php?article_id=1796).

Lukanin thinks the strategy for such cases is deliberate. In his opinion housing authorities and the Higher Economic Court are the pawns in a game and do whatever they are told. He did not specify who gives the orders. "Both housing authorities and the court executor seemed very happy to announce that the eviction case is over," he commented.

Church administrator Vitaly Antonchikov noted that, when the November 2012 eviction order was cancelled, he brought a letter of gratitude to Dmitry Shashok, the head of the Moscow District Housing Authority which had sought the eviction. Antonchikov had received an "almost friendly reception".

Forum 18 tried to reach Shashok at the Housing Authority on 14 June, but was told that he was on a business trip.

The telephone of Vladimir Lameko, Deputy Plenipotentiary for Religious and Ethnic Affairs, went unanswered on 14 May. His secretary refused to comment to Forum 18 about the New Life eviction order and its sudden revocation.

Bureaucratic harassment and civil disobedience

Minsk officials – backed by the national government - have blocked New Life's every effort to use its building in line with Belarusian law, thereby stripping the church's rights to the property. A hunger strike by New Life members, visits by foreign diplomats, and messages of support from around the world deterred the state from seizing the building in October 2006 (see F18News 3 November 2006 http://www.forum18.org/archive.php?article_id=865).

Formally, New Life has not owned its land since 2005, nor its building since 2009. Yet the authorities have largely left the Church alone since mid-2009. They took no action after New Life refused to pay a heavy February 2010 fine for alleged oil pollution. The Church categorically rejected this charge, pointing to numerous irregularities in the state's case (see F18News 6 January 2010 http://www.forum18.org/Archive.php?article_id=1393).

Visiting in late December 2010, Forum 18 found members able to organise Christmas festivities with the aid of portable generators. The authorities cut off the church's electricity in March 2004 (see F18News 16 March 2004 http://www.forum18.org/archive.php?article_id=525). New Life's high-profile civil disobedience campaign so far appears to have frustrated the authorities' moves to close the Church.

In sharp contrast, a small Old Believer community in Minsk has been unable to get state permission to obtain an affordable place of worship. The authorities have refused to allow the Church to move a wooden church from a remote northern village. In behaviour similar to that used against New Life, the city Architecture Department wrote to the Old Believers that "we consider it inexpedient to transfer the wooden church to the urban environment of a big city like Minsk" (see F18News 14 February 2011 http://www.forum18.org/archive.php?article_id=1540). (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=1796.

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.

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