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BELARUS: "I want to read the last rites over my son's body"

By Olga Glace, Forum 18

Tamara Selyun, mother of executed prisoner Pavel Selyun, is battling to try to recover his body. "I want to read the last rites over my son's body and bury him as a Christian," she told Forum 18 News Service. "But I was told that the body could not be handed over." In a letter seen by Forum 18, prison head Colonel Vikenty Varikash told her: "Bodies are not handed over for burial and the place of burial is not communicated." Both she and Lyubov Kovaleva – who has been seeking the return of her executed son's body since 2012 - separately insisted to Forum 18 that they are not going to give up. Meanwhile, the authorities have rejected applications for two foreign Catholic priests to be allowed to serve in Belarus. One has been a parish priest in Mogilev for seven years. Asked what parishioners should do now that the state has deprived them of their parish priest's service, religious affairs official Vladimir Martynovsky told Forum 18: "They should pray to God." The KGB appears to have dropped its criminal case against Catholic priest Fr Vladislav Lazar.

Eight weeks after Pavel Selyun's mid-April execution, his mother Tamara Selyun is not giving up her campaign to recover his body or at least try to find out where his body was buried. "I want to read the last rites over my son's body and bury him as a Christian," Tamara Selyun complained to Forum 18 News Service from Vileika in Minsk Region. "But I was told that the body could not be handed over." Relatives of executed prisoners in Belarus have long campaigned in vain to be handed the bodies for burial or at least be told where they are buried. Nor are relatives told beforehand or afterwards when the executions take place.

Meanwhile, the authorities have rejected applications by the Catholic Church for two foreign priests to be allowed to serve in Belarus. One has been a parish priest in Mogilev [Mahilyow] for the past seven years (see below).

Also, the KGB secret police appears to have dropped its criminal case against Catholic priest Fr Vladislav Lazar, who was held in a KGB prison on spying charges for six months in 2013 (see below).

"Bodies not handed over for burial, place of burial not communicated"

The 24-year-old Pavel Selyun was executed on about 18 April, apparently together with another death-row prisoner, 45-year-old Grigory Yuzepchuk. Both had been sentenced to death for murder and both were being held in Investigation Prison No. 1 in the capital Minsk. Belarus is the only country in Europe that still applies the death penalty.

Tamara Selyun first learnt that her son had been executed on 18 April, when Pavel Selyun's lawyer tried to visit him in prison but was told he had "left".

Tamara Selyun then sought the body from Minsk Investigation Prison No. 1. However, in a 22 May response, seen by Forum 18, prison head Colonel Vikenty Varikash told her that in accordance with Article 175, Part 5 of the Criminal Enforcement Code "Bodies are not handed over for burial and the place of burial is not communicated." Varikash used the standard formulation about executed prisoners.

For people in Belarus it is very important to perform all the traditional funeral rituals and be able to visit the grave, Andrei Paluda, coordinator of the campaign Human Rights Defenders against the Death Penalty in Belarus, told Forum 18 on 5 June.

On behalf of Tamara Selyun, Paluda sent letters to the Interior Ministry's Punishment Implementation Department, which handles bodies after executions, the Prosecutor's Office and the Supreme Court which reviewed Pavel Selyun's appeal, he told Forum 18. The Punishment Implementation Department's interim response recommended to appeal to the Supreme Court. "I can't believe my son is dead and it's unbearable to be left dangling," Tamara Selyun complained to Forum 18.

Earlier denials

Vladislav Kovalev was executed in March 2012 after being sentenced to death for alleged involvement in the April 2011 bombing in the Minsk metro. He, his family and human rights defenders rejected the charges. After his execution, his mother, Lyubov Kovaleva, tried to claim her son's body for a Christian burial, telling Forum 18 at the time that "it is important to give Vladislav - like other

people - a Christian burial" (see F18News 15 May 2012 http://www.forum18.org/archive.php?article_id=1700).

Despite all the family's efforts, her son's body was never released for funeral, nor was his burial place disclosed to the family, Lyubov Kovaleva lamented to Forum 18 from Vitebsk [Vitsyebesk] on 4 June 2014.

In response to her and her family's complaint, in October 2012 the United Nations (UN) Human Rights Committee concluded that the state's refusal to hand over death-row prisoners' bodies for burial and to disclose the place of burial "have the effect of intimidating or punishing the family by intentionally leaving it in a state of uncertainty and mental distress". Viewing this as amounting to inhuman treatment in violation of the International Covenant on Civil and Political Rights (ICCPR) (Article 7 – Freedom from torture and cruel, inhuman or degrading treatment or punishment), the Committee did not examine the women's claim that the ICCPR's Article 18 on freedom of religion or belief had also been violated (Communication No. 2120/2011) (see Forum 18's Belarus religious freedom survey http://www.forum18.org/archive.php?article_id=1796).

On 7 May 2012, Lyubov Kovaleva lodged a request to justify the necessity of not releasing the body to the family and of concealing the place of burial, to both houses of Parliament, the Interior Ministry's Punishment Implementation Department, Supreme Court, General Prosecutor and the President. None of the institutions could give a good reason why this provision should be in the legislation.

Clergy visits denied

Many death row prisoners awaiting execution adopt religious beliefs, Paluda observes. He noted that Selyun's attitude to religion changed dramatically from occultism to Protestantism. However, he never had a visit from a Protestant pastor. Paluda confirmed to Forum 18 that there was long and regular correspondence between Selyun and a Protestant Bible study centre. "He even received a certificate on Bible studies," Paluda told Forum 18.

Orthodox priests find it easier to visit inmates in Minsk Investigation Prison No. 1, Paluda told Forum 18. He said sometimes an exception is made for Catholic priests, but never for Protestant pastors.

The duty officer at Investigation Prison No. 1 – who did not give his name - refused to discuss difficulties over clergy visits to prisoners with Forum 18 on 6 June.

Eduard Lykov – a man with no fixed abode – was sentenced to death on 26 November 2013. He remains in Minsk Investigation Prison No. 1. He became a Catholic in prison and even changed his name, Paluda told Forum 18. He complained that only after much effort was Lykov allowed to see a Catholic priest, and then only once. Paluda lodged Lykov's appeal to the United Nations.

Forum 18 notes that death row prisoners are kept in Minsk Investigation prison No. 1, the same place where pre-trial detainees are kept. They are similarly known to be denied clergy visits as permission from the prison administration, the investigator or the court has to be obtained (see F18News 4 July 2011 http://www.forum18.org/archive.php?article_id=1589).

In violation of both Belarusian and international law, prisoners of conscience whose motivation for political opposition is their Christian faith have been denied pastoral visits, communal worship and religious literature while in detention. Ordinary prisoners may be similarly denied freedom of religion or belief (see Forum 18's Belarus religious freedom survey http://www.forum18.org/archive.php?article_id=1796).

No confession before execution

In addition to Selyun, Yuzepchuk and Lykov, at least one other man is known to have been sentenced to death in Belarus in 2013. Death row prisoners are not told until the last minute that they are about to be executed. For this reason, they do not have the chance to receive a visit from a priest, or make a last confession and take communion if they wish to do so (see F18News 20 October 2010 http://www.forum18.org/Archive.php?article_id=1497).

Tamara Selyun complained to Forum 18 that for her it was a blow to find out that her son was unexpectedly executed on 18 April, right before Easter. She said she was scheduled to visit him on 24 April.

Further struggle

Both Lyubov Kovaleva and Tamara Selyun separately insisted to Forum 18 that they are not going to give up and will continue to appeal to the authorities to be shown the burial place or permission to re-bury their sons' bodies. The mothers declared that they will do whatever they can to prevent similar situations in future.

"Amid such secrecy and lack of information, many rumours abound about where they might be buried – if they were. I'm really concerned that our children might not even have a grave," Lyubov Kovaleva lamented to Forum 18. "If I had my son's body returned I would bring him home for burial."

Human right defender Roman Kisliak – who has long campaigned for the abolition of the death penalty - expressed hopes that in the long perspective they expect some amendments in the Criminal Enforcement Code regarding body recovery for the relatives, a five-year suspension of execution to allow death-row prisoners to lodge appeals to the UN Human Rights Committee. "So far our initiative has been rejected, but we don't give up," he insisted to Forum 18 from Brest.

Two Catholic priests denied permission to serve

Two Polish Catholic parish priests were denied permission to carry out religious activity in Belarus, Archbishop of Minsk-Mogilev Tadeusz Kondrusiewicz announced at a pre-Easter press conference on 15 April. He identified the two as Fr Roman Schulz, a priest of the Dominican Order who has served in St. Kazimir and Yadviga church in Mogilev for seven years, and an unnamed priest from the Franciscan Order who was going to serve in Ivanets, Minsk Region.

The spokesman for the Belarusian Catholic Bishops' Conference, Fr Yury Sanko, said officials gave no reasons for the refusals. He explained to Forum 18 on 30 May that besides the visa, which is the prerogative of the Interior Ministry, foreign religious workers have to obtain permission to carry out religious activities from the Office of the Plenipotentiary for Religious and Ethnic Affairs in Minsk. Such permission is given on the basis of an invitation from a registered religious community.

Asked by Forum 18 on 10 June why the Catholic Church had had the applications for the two priests to serve in Belarus rejected, the Head of the Religious Affairs Department of the Plenipotentiary's Office Yelena Radchenko absolutely refused to give comments. She claimed any comments would be "wrongly interpreted" and referred all questions to her superiors, Leonid Gulyako or Vladimir Lameko. She said both were available in the office. However, the secretary told Forum 18 the same day that they were both out of the office.

"They should pray to God"

Vladimir Martynovsky, head of the Religious and Ethnic Affairs Department of Mogilev Region, insisted that the decision not to extend Fr Schulz's permission to conduct religious work had not been taken locally. Asked by Forum 18 on 12 June who was responsible for the parishioners of St Kazimir and Yadviga church losing their resident priest after seven years' service, he responded: "Gulyako's not guilty – he took a decision." Martynovsky noted that five other Polish citizens are licensed to conduct religious work in Mogilev Region.

Asked what parishioners should now do given that the state has deprived them of their parish priest's service, Martynovsky told Forum 18: "They should pray to God. They should apply to their leadership. It's nothing to do with the authorities." He then put the phone down.

Telephones at the Religious and Ethnic Affairs Department of Minsk Region went unanswered each time Forum 18 called on 10 and 11 June.

Under the Regulation governing the procedure for inviting foreigners to carry out religious activities in Belarus, approved by the Council of Ministers on 30 January 2008 (and amended in July 2010), the Plenipotentiary defines the period of permission, has the right to shorten it and is not obliged to communicate the reasons for a refusal.

Fr Sanko confirmed that Fr Schulz can stay in Belarus until his visa expires. "Fr Schulz's visa will not be prolonged and he'll have to go back to Poland," he told Forum 18. "As for the other priest, he hasn't even come to Belarus." He pointed out that the diocese is looking for replacements. He declined to discuss the inconveniences the denials have caused to parishioners in either location.

Forum 18 was unable to reach Fr Schulz for comments. However, a member of St Kazimir and Yadviga's parish, who preferred not to be named, told Forum 18 on 5 June that officials prolonged Fr Schulz's permission to conduct religious activity for 10 days to allow him to conduct services on Easter Sunday, 20 April. Although Fr Schulz is still in Belarus, the authorities no longer allow him to conduct religious services.

Weekday Masses have had to stop in his church, and services are performed only on Sundays by another priest. The member of the parish noted to Forum 18 that there are two other Catholic churches in Mogilev and parishioners are recommended to go there. "For true believers the personality of a priest should not be important, as they come to church to God."

The authorities have long expressed an intention to reduce the number of foreigners conducting religious activity in Belarus. One priest refused state permission to continue religious work in Belarus in 2009, Fr Jan Bonkowski, had been with his parish for 20 years (see Forum 18's Belarus religious freedom survey http://www.forum18.org/archive.php?article_id=1796).

In its report for 2013, the Plenipotentiary's Office proudly remarked that the Catholic Church managed to decrease the number of foreign priests. Asked to comment on this statement, Fr Sanko told Forum 18 that due to the fact that there are two seminaries, the number of Belarusian priests has increased and the need for foreign priests – including from Poland - has diminished.

"Spying" case dropped?

The KGB secret police has dropped the criminal case of espionage against Fr Vladislav Lazar due to lack of evidence, Pavel Severinets, Deputy Head of the Christian Democratic Party, told Forum 18 from Minsk on 11 June. He said he doubted that the abandonment of the case will be officially announced, maintaining that it will be suppressed as "it's a failure of the KGB". The state has made no apologies to Fr Lazar, he added.

Forum 18 was unable to reach anyone at the KGB in Minsk on 11 or 12 June to find out whether the case against Fr Lazar has indeed been dropped. KGB spokesperson Artur Strehk insisted to Forum 18 in January that the KGB's investigation against Fr Lazar was continuing and he "will be brought to trial" (see F18News 13 January 2014 http://www.forum18.org/archive.php?article_id=1914).

"Who is responsible for the imprisonment of an innocent person without informing his family and for harming his good name?" Severinets asked. "The so-called 'criminal case' has fallen apart without reaching the court." He is convinced that the criminal case against Fr Lazar was an attempt to intimidate the Catholic Church.

The KGB arrested Fr Lazar, priest of the Descent of the Holy Spirit parish in Borisov [Barysaw] in Minsk Region, on espionage charges on 31 May 2013. They detained him for six months in the KGB Investigation Prison in Minsk before transferring him to house arrest. (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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