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BELARUS: True Orthodox battle on for legal worship

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

Fr Leonid Plyats, priest of the True Orthodox parish of St John of Kronstadt near Minsk, told Forum 18 News Service that his community will fight on to be able to worship openly and legally despite the rejection on 27 March of his parish's suit to overturn the denial of registration. Denis Yelizarev of the government's Committee for Religious and Ethnic Affairs insisted that the Committee's assessment against the parish had been correct. "They slandered other faiths, that's why they were banned."

The priest of the True Orthodox parish of St John of Kronstadt near the capital Minsk has vowed that his community will fight on to be able to worship openly and legally. Fr Leonid Plyats told Forum 18 News Service on 1 April that despite the rejection on 27 March of his parish's suit to overturn the denial of registration, the Church will lodge an appeal within the specified ten-day period to Minsk city court.

"The ruling has not yet entered into force," the parish's lawyer, Yevgeni Lazarenkov, stressed to Forum 18 on 2 April, "and would do so only if we don't appeal within ten days. But we will lodge our appeal in the next few days."

The St John of Kronstadt parish, based in the village of Zabolotye, lodged a registration application signed by ten parishioners in 2001, when it was under the jurisdiction of Russian Free Orthodox Bishop Veniamin, who is based in the Russian region of Krasnodar. The application by the Minsk regional administration was rejected after an "expert assessment" by the Committee ruled that the parish's statute incited "religious hatred".

In May 2002 the parish was accepted into the jurisdiction of True Orthodox Bishop Agafangel (Pashkovsky) of Simferopol and Crimea, who is based in the Ukrainian city of Odessa. The parish again lodged a registration application, signed by 24 parishioners, which was again rejected after an updated expert assessment from the Committee, which repeated many of the same complaints against the parish and declared that the True Orthodox Church "does not exist as a religious organisation" and is a "destructive sect".

Fr Leonid complained that he and his lawyers were allowed to read the expert assessment once but not to make a copy of it. The parish then lodged its suit challenging the registration denial to the court of Minsk's central district.

Two preliminary hearings were held on 14 and 26 February, but the case was not heard until 26 and 27 March. The court heard that the Committee believed that the Crimean diocese's statute declared that the territory in which it functions was Ukraine, thereby implying that the diocese could not have parishes in Belarus. However, Bishop Agafangel, who had travelled to Minsk from Odessa for the hearing, declared in court that the parish is under his jurisdiction and that there is nothing "destructive" about its activity.

Denis Yelizarev, a member of the 17-strong "expert committee" of the Committee, who attended the 26 March hearing, insisted that the assessment against the parish had been correct. "The expert committee examined all the documents and found expressions arousing religious enmity," he told Forum 18 from Minsk on 2 April. Asked to specify how the parish's statute aroused such enmity he declared: "They slandered other faiths, that's why they were banned." Pressed to identify the relevant part of the statute he declared: "I can't remember the exact formulation – it was a year ago. But they were against the registered Russian Orthodox Church."

Yelizarev maintained that the True Orthodox parish was treated no differently to any "new religious group" which had not previously been registered in Belarus. "The law says they need to be assessed by the expert committee. This is one mechanism to control religious organisations that violate the human rights of believers and slander other religious communities."

Oleg Gulak, executive chairman of the Belarusian Helsinki Committee who attended some of the hearings, told Forum 18 from Minsk on 2 April that the verdict was "an attempt to preserve the unity of the Russian Orthodox Church".

"Their argument that the True Orthodox Church could not be subject to a diocese in Ukraine violates Belarus' commitments as a member of the Organisation for Security and Cooperation in Europe," Artur Livshits, a lawyer for the Union of Councils for Soviet Jews and a member of the Civic Initiative For Freedom of Conscience, told Forum 18 from Minsk on 1 April. He pointed in particular to Article 16 of the Concluding Document of the 1989 Vienna OSCE meeting, which guarantees the rights of religious

organisations to "establish and maintain freely accessible places of worship or assembly" and to "organise themselves according to their own hierarchical and organisational structure".

Fr Leonid told Forum 18 that one of the other two True Orthodox parishes – in the nearby village of Poddubye - has faced the same registration obstruction as the St John of Kronstadt parish. Officials point to the earlier Committee expert assessment of that parish to reject the application. The third parish – in Minsk – has got nowhere with its application, lodged last year with Minsk city administration. "They have refused to give an answer at all." He said after the application had languished for half a year the city administration had then complained that it should have been lodged at the administration of the city's Pervomaisky district.

The Poddubye parish is also challenging its registration denial, but the central district court has yet to fix a date for a hearing.

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