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BELARUS: "Unaffordable" police fees stop Greek Catholic pilgrimage

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

Under a Council of Ministers Decree, public events require fees to police, health workers and cleaners. The Interior Ministry later said fees would not apply to religious organisations' events at designated venues, such as churches and cemeteries. However, Greek Catholic leaders cancelled what would have been their 25th annual pilgrimage from Vitebsk to Polotsk in mid-July because of "unaffordable" police fees.

At the last minute, Greek Catholic Church leaders had to cancel what would have been their 25th annual pilgrimage from Vitebsk to Polotsk in mid-July because of "unaffordable" police fees. The fee demanded would have represented one day's average pay for each of the up to 100 expected participants, plus fees for health provision and cleaning along the route.

The fees to be paid to the police, medical workers and cleaners were required under a controversial January Council of Ministers Decree which imposes such fees on many kinds of public events. The Vitebsk Regional authorities had already approved the pilgrimage, but warned that the fees set out in the Decree would be payable.

Following Catholic complaints, the Interior Minister wrote in May to say that Council of Ministers Decree No. 49 would not apply to religious organisations' events at designated venues, such as churches and cemeteries. However, the police told the Greek Catholics that pilgrimage routes do not count as designated venues, only pilgrimage sites (see below).

"This is outrageous! Officials said that the Decree does not apply to religious organisations," pilgrimage organiser Fr Dmitry Grishan complained to Forum 18 from Vitebsk. "3,000 Roubles is too much for us. I didn't even go to the other authorities to find out their prices."

The annual pilgrimage, which started in 1995, brings up to 100 Greek Catholics from all regions of Belarus who walk about 100 kms (60 miles) from Vitebsk to Polotsk in northern Belarus to commemorate the killing of five Basilian monks 400 years ago. It is the only such national Greek Catholic event.

Fr Grishan considers the demand to involve police services ill-grounded. "From whom they are going to protect us? For 24 years there have never been any conflicts during the pilgrimage," he complained. He assured Forum 18 that ambulance escort and communal services are not needed either, as among the laypeople are healthcare workers and people responsible for cleaning (see below).

Another Catholic pilgrimage went ahead in August without a police fee only after the priest persuaded the police that he would be responsible for keeping order (see below).

All the religious leaders and human right defenders Forum 18 spoke to stressed that Decree No. 49 should be amended. Christian Democrat Olga Kovalkova told Forum 18 that despite all the collected signatures and appeals to the authorities, they have given no indication that the Decree will be amended or abolished (see below).

The Interior Ministry told the Greek Catholics in August that the Decree would not be amended (see below).

Meanwhile, punishments for organising or participating in unregistered religious activities, including meetings for worship, were changed on 18 July from possible prison terms to fines. Under the new Administrative Code Article 23.88, individuals can now be fined up to five weeks' average wage for those in work. (http://www.forum18.org/archive.php?article_id=2507)

Tight state control

In Belarus the state closely controls all public exercise of freedom of religion or belief. The Religion Law requires state registration before communities can meet for worship. Those who meet without state registration risk police raids and fines, though such raids

have diminished in recent years. Any public religious meetings or outdoor events risk fines or other punishment. Individuals can be punished under the Administrative Code for violating the Law on Mass Events, which requires prior permission (often refused) for a range of public events. (http://www.forum18.org/archive.php?article_id=1997)

At the same time, the authorities have long been reluctant to register religious communities, using various pretexts to make state registration unobtainable for communities they do not like. The most frequent pretext is rejecting a community's proposed legal address as unsuitable. (http://www.forum18.org/archive.php?article_id=2436)

Controversial Decree No. 49

The Council of Ministers adopted Decree No. 49 "On the procedure of payment for public security provided by Police, for healthcare services, for cleaning venue after the public event" on 24 January. The Decree requires that all permitted public event organisers - including of religious events - pay in advance for police, healthcare and cleaning services. The Decree sets the price list depending on the number of participants.

Holding public events is already very difficult. Many human rights and opposition activists interpreted the Decree as a further measure to obstruct public events not organised by the authorities.

The Catholic Bishops' Conference enquired whether Decree No. 49 also applies to religious events. Interior Minister Igor Shunevich responded in writing on 15 May that religious organisations are not subject to the Decree if their events are held in designated places, Fr Dmitry Pukhalsky of the Minsk-Mogilev Diocese noted on the Catholic.by website on 20 May. Such places include churches, cemeteries, crematoria, pilgrimage sites and others approved by local authorities.

Minister Shunevich's letter to the Catholic Bishops' Conference has not been made public. Nor has any change to Decree No. 49 been adopted to take account of the exemption from the fees for certain religious events.

The opposition Belarus Christian Democrats also sent a request to the Council of Ministers, calling for the cancellation of fees for religious organisations, amendments to the 1997 Law on Mass Events and abolition of Decree No. 49. However, the 4 July response from the Finance Department of the Interior Ministry, seen by Forum 18, rejected all the proposals. It claimed that religious organisations are not restrained from holding religious events in designated places and the laws on mass events require no amendments.

A Belarus Christian Democrat leader Olga Kovalkova initiated a petition against the fees. She maintains that the Decree contradicts the Constitution and international human rights principles.

"The Decree is based on the Mass Events Law which bound event planners to confirm the engagement of Police and Health care organisations by providing the contracts on their service, but this Decree allows the authorities to deny permission to the event without the contracts preventing people from exercising their rights including religious rights," Kovalkova told Forum 18 on 23 August.

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Greek Catholics cancel pilgrimage over "unaffordable" fee

The senior priest of Resurrection of Christ Greek Catholic parish in Vitebsk, Fr Dmitry Grishan, was the organiser of this year's pilgrimage from Vitebsk to Polotsk to commemorate the killing of five Basilian monks 400 years ago. He was expecting up to 100 participants for the walk from 9 to 13 July.

As required by law, the parish sought permission from Vitebsk Regional Executive Committee. On 25 June, in a letter seen by Forum 18, Pyotr Gnutenko, deputy head of the Executive Committee's Ideology and Youth Department, gave permission for the pilgrimage, but under the condition that, under Decree No. 49, the organisers should sign contracts with the police, healthcare and communal services.

In the case of the Greek Catholics the fee for 100 participants is 150 base units, which is equivalent to 3,825 Belarusian Roubles.

Fr Grishan tried to negotiate with the police, explaining the importance of the event to the Greek Catholic community. However, police set the required fee at 3,000 Belarusian Roubles. This represents one day's average wage for an individual in work for each of the expected 100 or so participants.

Fr Grishan did not even contact healthcare and communal services to find out how much they would charge, he told Forum 18, as the Greek Catholics considered the amount the police would charge "unaffordable".

Fr Grishan had to cancel the pilgrimage one day before it was due to begin. He considers the demand to involve police services ill-grounded. "From whom they are going to protect us? For 24 years there have never been any conflicts during the pilgrimage," he complained. He assured Forum 18 that ambulance escort and communal services are not needed either, as among the laypeople are healthcare workers and people responsible for cleaning. "Unfortunately, we don't have a Greek Catholic police officer," he joked.

The Head of the Ideology Department of Vitebsk Regional Executive Committee, Sergey Fadeyenko, absolutely refused to discuss why the Greek Catholics were required to finance a police escort and other services. "Call the police and read the law," he told Forum 18 on 23 August and put the phone down.

Asked why the believers have to pay the fee and sign contracts when pilgrimage sites are exempt from the effect of Decree No. 49, Officer of Vitebsk Internal Affairs Department Anatoly Lisovsky explained to Forum 18 on 23 August that since the pilgrimage route is not a place designated for holding religious events, the event is in the category of "other" and falls under the requirements of the law. He specified that the local police provide security at the pilgrimage destination free of charge.

Forum 18 called the number of the Finance Department given in the response from the Vitebsk Police to find out the calculation method of the fee, but the officer who did not give his name refused to give any comments. "Why are you calling me?" he told Forum 18 on 27 August. "Who gave you my number? I don't know anything."

After receiving explanations from Vitebsk Regional Executive Committee and Vitebsk Police (seen by Forum 18), Greek Catholic laypeople complained to the Presidential Administration. They called for the Decree to be amended to add pilgrimages routes to the list of designated places where police, healthcare and cleaning fees are not payable.

"We decided to express our protest against injustice," Fr Grishan told Forum 18. "It was done not by the Church, but by believers who are active and have different social status and professions."

The response to the appeal came from the Interior Ministry. Its 22 August letter made clear that the authorities have no intention of amending Decree No. 49. It recommended that Fr Grishan acknowledge that everyone is equal under the law and suggested to resolve the issue with the local authorities or appeal to court.

Viktor Dubovets, head of the Finance Department at the Interior Ministry, told Forum 18 from Minsk on 27 August that Decree No. 49 created "no problems" for religious communities. He insisted that his Ministry had given instructions to regional Executive Committees that religious communities are exempt from paying the fees. Told that Vitebsk Regional Executive Committee and the Police told the Greek Catholics that they had to pay the fees as pilgrimage routes are not exempted, he said: "Why are you asking us? Talk to the Executive Committee."

Fr Grishan told Forum 18 that if the local authorities refuse to support next year's pilgrimage, the Greek Catholics will have to stop this practice.

Some pay fees for religious events, others not

When organising a Conference for some 8,000 participants from 26 to 28 July at Minsk's Tractor stadium, Jehovah Witnesses had to pay all the fees to the relevant authorities to observe the law.

"The Decree is new to the authorities as well and, though they got used to working with politicians, they are not sure how to deal with religious organisations," Jehovah Witness spokesperson Pavel Yadlovsky told Forum 18 from Minsk on 22 August. "It is impossible to tar all events with one brush."

Members of Orthodox, Catholic, Baptist and other Protestant communities told Forum 18 that no fees have been imposed on them under Decree No. 49 when they organised their events.

Forum 18 found that Decree No. 49 is not applied to public events which religious communities organise together with the local authorities. Officer Lisovsky of Vitebsk Police confirmed to Forum 18 that in such cases the police are ordered to provide security during events free of charge.

Fr Grishan complained that exempt events are holidays "which the state considers useful" and finds "desirable for spiritual and moral revival".

Catholic senior priest of Transfiguration of Jesus Church in Novaya Mysh, Fr Pavel Vrubel, told Forum 18 on 27 August that their pilgrimage from Baranovichi to Logishin in western Belarus on 21 and 22 August went successfully. Organisers had to negotiate with the local police who at first insisted on charging a fee, but later agreed to authorise the priest to keep public order.

Fr Vrubel also confirmed that during the Corpus Christi festival in June, police did not charge the fee on condition that the

procession kept to the pavement without stepping into the road. He maintained to Forum 18 that the fees are very high and had fees been imposed on the Church for the latest pilgrimage, it would have had to cancel it.

Vitebsk-based Catholic priest Vyacheslav Barok points out that Decree No. 49 is not a good law as the outcome depends on how officials interpret it. "The law should be precise and clear," he told Forum 18. "Currently the authorities have the leverage to influence a religious organisation.

Vitebsk Police Officer Anatoly Lisovsky argues that Decree No. 49 improves the Law on Public Mass events by setting a fixed cost on police services. "You will pay no more than is indicated in the Decree depending on a number of participants," he explained to Forum 18. According to him the event planner used to pay different amount to policemen depending on their rank. (END)

Full reports on freedom of thought, conscience and belief in Belarus
(<http://www.forum18.org/archive.php?query=&religion=all&country=16>).

For more background, see Forum 18's Belarus religious freedom survey (http://www.forum18.org/archive.php?article_id=1997).

Forum 18's compilation of Organisation for Security and Co-operation in Europe (OSCE) freedom of religion or belief commitments (http://www.forum18.org/archive.php?article_id=1351).

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