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BELARUS: Religious freedom survey, December 2004

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In its survey analysis of religious freedom in Belarus, Forum 18 News Service notes that formal state support for "traditional" religions is at most symbolic, and that militant atheism still influences state officials. Some officials have attempted to pressure people signing registration applications of Protestant churches to withdraw their names. The re-registration of most, but not all, religious communities does not guarantee religious freedom, and registered activity is restricted by a variety of laws and regulations, such as a bar on registered religious groups working outside their registered area. Another example is that although Greek Catholic Church parishes have re-registered, as it does not qualify as a "central association," it cannot own media publications or invite non-Belarusians to work, for example, as missionaries. Non-registered religious communities are banned under Belarusian law and liable to prosecution, against international law, but the number of unregistered communities appears to have grown. A key feature of state religious policy is an extensive centralised network monitoring religious communities and active religious believers. There has been at least one attempt by the secret police to persuade a pastor to collaborate with them.

Five days before parliamentary elections and a national referendum in October 2004, on whether he could stand for a third presidential term, Aleksandr Lukashenko met with the leader of the Moscow Patriarchate Belarusian Orthodox Church, Metropolitan Filaret of Minsk and Slutsk. In a state report of the event, President Lukashenko maintained that "one of the proposals voiced by representatives of the political opposition and supported by some foreign activists is to narrow the sphere of activity of Orthodoxy in order to increase the influence of non-traditional confessions and various sects." According to the Belarusian president, "such anti-Slavic plans and aspirations are directed not only against the Orthodox Church .. but also against the state."

This differentiated approach towards the various confessions in Belarus informs the whole of the state's religious policy. While stating that "religions and confessions are equal before the law," Article 16 of the 1994 Belarusian Constitution also proclaims that state relations with religious organisations are regulated "taking into account their influence on the formation of the spiritual, cultural and state traditions of the Belarusian people." The preamble of the Belarusian 2002 religion law thus introduces a tiered set of relations with the republic's different confessions. The role of the Orthodox Church in the historical appearance and development of the spiritual, cultural and state tradition of the Belarusian people is recognised as "defining". The spiritual, cultural and historical role of the Catholic Church is simply recognised. The Evangelical-Lutheran Church, Judaism and Islam, in turn, are described as "indivisible from the shared history of the people of Belarus."

That the current situation rather than historical contribution has in fact shaped this paradigm is suggested by several significant omissions and distortions. Priestless Old Believer communities were first established on Belarusian territory in the late seventeenth century. The Greek Catholic Church in Belarus was particularly influential from its foundation in 1596 until its prohibition in 1839. Dozens of Calvinist – rather than Lutheran – communities were established on Belarusian territory by the mid-seventeenth century. During the early medieval period, Christian activity in western areas of what is now Belarus appears to have been predominantly Catholic.

Fluctuations in religious policy due to the fleeting concerns of political expediency have been particularly apparent this year in the run-up both to parliamentary elections, the national referendum on 16 October and the deadline for compulsory re-registration of religious organisations on 16 November. Previously appearing prominently only with the Orthodox, President Lukashenko promised to assist and co-operate with the Catholic Church at a meeting with Catholic bishops on 21 October, "on condition that you are prepared to love Belarus as I do... and fight for her territorial integrity and independence." Invited with representatives of the confessions listed in the 2002 law's preamble to an 11 November meeting with Vice-premier Vladimir Drazhin, the Old Believers in practice now appear to be counted among their number. Vice-premier Drazhin even heard Protestant leaders' concerns at a meeting also held on 11 November, reportedly scheduled at the request of the Belarusian president himself.

While the Belarusian Baptist Union initially vowed not to re-register as a central association under the 2002 religion law until every one of its affiliate congregations was re-registered, it reassessed this position after holding Sunday school camps and tent evangelisation events without obstruction during the summer of 2004. According to Protestant sources, this period of calm resulted from the fact that the state authorities could not afford to alienate Protestant voters in view of the impending elections and referendum, and wished to re-register as many religious organisations as possible in the belief that this would prove respect for religious freedom in Belarus. Representatives of several other confessions reported that the state authorities assisted them through

the re-registration process, and many with registration under the old 1992 religion law were offered significant compromises. Thus, those with between ten and 20 members (rather than the new legal minimum of 20) were permitted to re-register, as were religious associations with no affiliate community functioning on Belarusian territory for more than 20 years (as is stipulated by the 2002 law). While the same law prohibits "regular or mass performance of religious rites" on residential premises, these were also accepted as legal addresses if they were detached houses meeting certain fire and sanitation requirements.

It should be noted that the 2002 law's preamble actually gives neither a positive nor negative evaluation of the historical role played by the confessions it mentions – which may reflect the at least lukewarm attitude towards religious faith held by many state officials in Belarus. President Lukashenko's support for the Belarusian Orthodox Church may likewise be largely symbolic – his pet construction project is after all for a new ice-hockey stadium in every regional centre rather than a new Orthodox cathedral, and Orthodox involvement in state institutions is reportedly low-level despite a series of co-operation agreements between the Belarusian Orthodox Church and government ministries. In general, however, the authorities do honour a 12 June 2003 church-state concordat in which they guarantee the Belarusian Orthodox Church's "right of ecclesiastical jurisdiction on its canonical territory" and pledge "to fight jointly against pseudo-religious structures." In conjunction with the 2002 law's tiered model and other pieces of legislation, this works to create different categories of confession assigned spaces of varying size within the religious and public spheres, starting with the Belarusian Orthodox Church and finishing with those who are essentially underground. Non-Moscow Patriarchate Orthodox churches were barred from re-registering without the consent of the local Belarusian Orthodox Church bishop, and thus effectively banned.

The "traditional" confessions of the 2002 law's preamble as well as several others have been encouraged or helped to register or re-register. However, this is not a guarantee of religious freedom. In March 2004 leaders of the main Protestant churches wrote to President Lukashenko seeking the removal of several provisions from the 2002 law, including those stipulating compulsory registration and a minimum of 20 members; limiting the area of a religious organisation's activity to the city, town or village where it is registered (or to a particular region in the case of an association); permitting only associations to found monastic communities, brotherhoods, sisterhoods, missions and educational institutions; prohibiting systematic home worship meetings; requiring state permission for outdoor events and barring a religious organisation from registering at a residential address. (In Belarus only the president, parliament, the Supreme Court, the Supreme Economic Court or the Council of Ministers may appeal to the Constitutional Court.) This appeal failed.

While most religious organisations that have re-registered successfully – such as Muslims, Lutherans and Baha'is – admit to gathering at residential addresses without prosecution, failure to meet this and other of the law's requirements has prevented some religious organisations from qualifying for registration or re-registration and hence leading a fully open existence. Not meeting the minimum ten participants for a monastic community, for instance, only seven Roman Catholic convents and none of its five or six de facto monasteries exist officially. For the same reason, the Greek Catholic Church cannot found a monastery. (This is also impossible because the Church does not qualify to register a central association as its parishes have been established only within the past 15 years, and its leader is not a Belarusian citizen.) While all 15 of its parishes are fully re-registered, without a central association the Greek Catholic Church is also officially barred from founding its own media publications or inviting foreign citizens to Belarus in order to engage in religious activity.

Although four of its six communities in Belarus have also been re-registered, the Society for Krishna Consciousness does not qualify for a central association either and so cannot hire a public hall for or publicise lectures by visiting foreign teachers, or produce a publication in a circulation higher than 300 copies, as this would require the publication to be officially registered. Consistently refused permission to distribute literature in public on the grounds that the places selected are "inappropriate", the Society's members report frequent brief detentions and small fines (of about the equivalent of 137 Norwegian kroner, 16 Euros or 20 US dollars) if they continue to do so, or being ordered to leave a location if they do not have a registered community there.

Similarly, on the eve of a 10 October 2004 service in Dyatlovo (Grodno [Hrodna] region) as part of the "Belarus for Christ" car rally, the pastor of the local charismatic Light to the World Church reportedly received a telephone call from a local official warning him not to allow pastors from other areas to speak since Dyatlovo was "not the sphere of their activity."

According to the Belarusian State Committee for Religious and Ethnic Affairs, 2,677 of a possible 2,783 religious communities had successfully re-registered by the 2002 law's 16 November 2004 deadline, which number included 84 that reportedly requested "self-liquidation" for technical reasons. Having spoken with various religious representatives, Forum 18 finds this figure largely credible. In some cases, however, failure to meet the strict criteria of the 2002 law has resulted in religious communities being refused re-registration and with it the right to function legally. Having lost their use of privately rented premises on the eve of the parliamentary elections (in which its pastor was standing), Word of Truth charismatic Full Gospel Church in Dzerzhinsk (Minsk region) was refused re-registration for correspondingly failing to provide a valid legal address. Repeatedly refused permission to rent premises in Minsk since 2003 (for example, for specifying "Sundays" rather than precise dates over a period requested), New Life charismatic Full Gospel congregation has also been denied permission to use its former farm building for services and so was similarly refused re-registration for lack of a valid legal address.

Like New Life, the Minsk Krishna Consciousness Society now faces prosecution for worship at unapproved premises, after being refused re-registration at an address that is technically residential. Two Reformed Baptist congregations have also been refused

re-registration without explanation. While the outcome of their re-registration applications is not yet certain, Messianic Jewish and Calvinist congregations in Minsk also report difficulty in obtaining a valid legal address. (Similar to New Life but in a different Minsk district, the Calvinist church was earlier also refused rental for not specifying precise dates of its proposed meetings.) Five autonomous Baptist congregations in Brest region have also yet to hear of the result of their re-registration applications, in which they refused to accept the provision of the 2002 law restricting their activity to a particular location. Unlike the more established religious bodies, these churches do not have an umbrella association that would allow movement to different areas for mission.

In addition to the 2002 law, local and other restrictions combine to circumscribe the activity of registered religious organisations. As one Protestant source remarked to Forum 18, "we may not be persecuted, but you can create a legal basis which makes almost nothing possible." In addition to Article 25 of the 2002 law, which requires state permission for religious events outside purpose-built places of worship, the August 2003 law on demonstrations also requires prior state permission for public religious events, while a Minsk City Council ruling has barred religious events in cultural establishments since 1999. Elsewhere, local decrees ban the use of cinemas for religious events in Grodno city and the hire of public swimming pools for baptisms in Grodno region.

While Krishna devotees are allowed to hold processions at one location in Minsk, they also report having to pay fees equivalent to 682 Norwegian kroner, 79 Euros or 100 US dollars (i.e. just under the average monthly salary) if these occur on a weekday or 2,046 Norwegian kroner, 237 Euros or 300 US dollars (i.e. over double the average monthly salary) if at a weekend, since the 2003 demonstrations law requires payment for the provision of emergency services during public events and cleaning up afterwards. In September 2004 a celebration at a privately hired function suite which Krishna devotees maintain was secular was broken up by police claiming it was religious and so required the state's permission.

In the same month, the Full Gospel charismatic Church of Jesus Christ and the Pentecostal New Testament and Hope of Salvation churches were told that they could not hold services at their premises in Minsk since they did not hold the necessary approval from the fire and sanitation authorities. In October 2004 the pastor of the registered Light to the World charismatic Full Gospel congregation was fined 1,110 Norwegian kroner, 136 Euros or 174 US dollars (about 125% of the average monthly salary) for holding an unapproved religious meeting at his home. In July 2004 three Council of Churches Baptists were each fined 1,200 Norwegian kroner, 153 Euros or 175 US dollars for similarly violating regulations on holding religious events by singing hymns at a hospital in Gomel region without first obtaining the state's permission. For the same reason, members of a Council of Churches congregation in Lepel [Lyepel'], Vitebsk [Vitsyebk] region were detained five times in three months during 2004 for running a street library without permission, while one was allegedly beaten in police custody.

Under a new law governing tax on real estate that came into force in January 2004, Light of the Gospel Church in central Minsk was fined several million Belarusian roubles for offering its premises to other registered Baptist Union congregations without their own places of worship, and not paying the relevant fee. A million Belarusian roubles is about 2,820 Norwegian kroner, 345 Euros or 458 US dollars, or over three months' average earnings. Under the new legislation, tax must be paid if a legal personality rents its premises to another, even if free of charge.

State registration also fails to prevent religious organisations from being denounced by the state. An October 1997 analysis by specialists attached to the State Committee for Religious and Ethnic Affairs determined that the Society for Krishna Consciousness was a "destructive totalitarian sect", while they concluded in March 2000 that a member congregation of the charismatic Full Gospel Association was a "neo-mystical religious-political destructive sect" whose growth posed "a significant threat to the individual, society and state" of Belarus. A 2002 state schoolbook teaches that Baptists, Pentecostals, Adventists and Jehovah's Witnesses are "sects" encouraging fanaticism, that Krishna devotees need psychiatric help and that Orthodox worship results in a hypnotic state.

The same official school textbook asks schoolchildren to choose the "correct" definitions of "religion" from various options, including "a particular form of social consciousness in which dominant external forces are reflected in a fantastical way in a person's consciousness, and earthly forces take the form of the non-earthly" (correct), "a system of scientific knowledge concerning the salvation of mankind" (incorrect) and "teachings of the 'church fathers' which aim to substantiate the existence of God" (incorrect). In a section headed "Let's take note," five quotations on religious belief are printed, such as "To believe means to refuse to understand," and "Religion is a weakness..."

In a further testament to the lingering influence of militant atheism in the Belarusian state apparatus, an official religious studies textbook, intended for first-year college students, maintains that "religion does not teach a believer to strive to lead a dignified life, to fight for his freedom or against evil and oppression. This is all supposed to be performed for him by supernatural forces, above all, god. All that is left for the believer to do is to be his pathetic petitioner, to behave as a pauper or slave... Religion's promises to give a person everything that he seeks in it are but illusion and deception."

Following a section which considers atheism as "the highest form of free thought," the Chairman of the Expert Council attached to the State Committee for Religious and Ethnic Affairs, Professor Anatoli Kruglov declares the Marxist-Leninist definition of freedom of conscience to be "authentic" (unlike that of "bourgeois ideology") and claims that, following the incorporation of this principle into Soviet legislation in 1918, "no religion was accorded any preference or subjected to any form of oppression" in Belarus.

While religious communities with re-registration thus face varying degrees of restriction and possibility, those without it are now

entirely illegal. The number of unregistered communities appears to have grown in recent years. In 2003 several Protestant churches reported attempts by rural officials to pressurise those giving their personal details as part of registration applications for new communities into withdrawing their names. Pentecostal, charismatic Full Gospel and Greek Catholic representatives have also told Forum 18 that they have been unable to register new churches for several years. A reduction in registered religious communities is even reflected in official government figures: while 2,748 were registered in October 2001 and 2,863 in January 2004, there are now 2,677 out of a possible 2,783.

If unregistered communities do not lead an entirely underground existence, they are liable to prosecution. Orthodox congregations independent from the Moscow Patriarchate are barred from obtaining re-registration, although there is no corresponding provision in the law. While the disreputable Catacomb Orthodox Church reports no obstruction, a parish of the Belarusian Autocephalous Orthodox (People's) Church claims ever more frequent small fines (of about 57 Norwegian kroner, 7 Euros or 9 US dollars) for holding services at a partly ruined church on the outskirts of Minsk. A priest of the Russian Orthodox Church Outside Russia (ROCOR - which is not part of the Moscow Patriarchate) who oversees three parishes in Minsk and Minsk region reports as yet unsuccessful attempts by the local authorities to prosecute him for unregistered religious activity. An independent Orthodox parish in Pohranichny (Grodno region) has disbanded after its church was bulldozed in 2002 and its priest, Fr Yan Spasyuk, sought asylum in the United States.

Forum 18's previous survey a year ago in 2003 noted that six fines had been reported for unregistered worship meetings, usually in private homes, over the previous year. (A further three between March and May 2003 have since come to light). Most of these fined were congregations of the Council of Churches Baptists, who have refused on principle since 1961 to register with the state authorities in CIS countries. Since that survey, there have been a further six fines of their communities totalling 1,688 Norwegian kroner, 213 Euros or 250 US dollars, with other fines made handed down to a Baptist Union member for holding Bible study at his home in Grodno region (105 Norwegian kroner, 13 Euros or 15 US dollars) and an independent unregistered Pentecostal church in Brest region (142 Norwegian kroner, 17 Euros or 23 US dollars). The average monthly wage in Belarus is the equivalent of about 864 Norwegian kroner, 105 Euros or 139 US dollars.

One Pentecostal representative has told Forum 18 that such fines would happen "every day, but we leave quickly and quietly after home services." Most of the fines came in the wake of a December 2003 order issued, according to regional officials, by the Belarusian Ministry of Justice, which ordered them to halt "the illegal activity of members of unregistered Baptist organisations" belonging to the Council of Churches by 1 March 2004.

A key feature of Belarusian state religious policy making such actions possible is its extensive centralised network dealing with religious affairs, which remains more or less intact from the Soviet period. As well as a central committee in Minsk and one or two religious affairs officials per region, each district (approximately 20 per region) has a Department for Relations with Religious and Social Organisations and a Commission for Monitoring Compliance with Legislation on Religion. In April 2003 Baptist Union congregations in districts in Minsk region received similar demands for personal details of children and teachers of their Sunday schools, which they refused to provide. In October 2003 a district in Minsk region received a letter from a top religious affairs official accusing its Commission for Monitoring Compliance with Legislation on Religion of "not fully performing its function" and recommending increased monitoring of religious organisations, including regular visits, check-ups and conversations with their leaders.

On 17 August 2004 a local KGB secret police officer reportedly approached the pastor of the evangelical Salvation Church (Brest region), noting that the congregation contained many student members and their parents were complaining that they were being "zombified". After accusing the pastor of breaking the law by inciting religious hatred towards the Belarusian Orthodox Church, the secret policeman also allegedly told the pastor to speak in support of President Lukashenko during his next sermon and proposed that the pastor collaborate with the secret police. (END)

The previous Forum 18 Belarus religious freedom survey is at http://www.forum18.org/Archive.php?article_id=195

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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