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BELARUS: Protestants still barred from rebuilding premises

By Geraldine Fagan, Forum 18 (<https://www.forum18.org/>)

Protestant communities continue to face great difficulties in rebuilding premises for worship, Forum 18 News Service has found. A typical example is a Grodno region Baptist congregation which wants to rebuild its wooden 1920s church building. "We want to rebuild in brick, but the authorities refuse, without giving a definite reason," a church member told Forum 18. State religious affairs and local council officials have been evasive when Forum 18 has asked them about the church's problems. A related problem is the near impossibility of getting property officially redesignated so that it can be legally used for worship buildings. This problem mainly affects Protestant communities, as unlike the other major communities in the country - Orthodox and Catholic - they are much less likely to own their own worship buildings. Non-Christian communities, such as Jews and Hare Krishna devotees, are present only in small numbers. One Baptist thinks that the official status of buildings is not the main problem. "The situation will never be resolved as long as we are regarded as sectarians," Pastor Aleksandr Knysh told Forum 18.

A Baptist congregation in Zelva (Grodno [Hrodna] Region), a town that was in Poland between the First and Second World Wars, has been denied state permission to reconstruct its 1920s wooden church building for over two years, Forum 18 News Service has learnt. "We want to rebuild in brick, but the authorities refuse, without giving a definite reason," a member of the church remarked from Zelva on 22 May. All the local state architect will approve is plastic panelling ['saining'] to the façade, she added. Pastor Viktor Sobchuk of the 50-strong congregation recently told the Evangelical Belarus Information Centre that he believes the church's location close to the main Minsk-Warsaw highway may be behind the refusal. "The authorities are afraid that the appearance of newly renovated churches in such a conspicuous place could attract people."

Grodno region's main religious affairs official told Forum 18 on 28 May that he is familiar with the old prayer house in Zelva, but maintained that its Baptist congregation did have official permission to reconstruct it: "They are renovating it right now." Asked whether such permission included to rebuild in brick or just to apply exterior panel decoration, Igor Popov said he was unable to answer.

Yelena Kovsh, a vice-chairwoman of Zelva District Executive Committee [the local council] who deals with religious affairs, maintained to Forum 18 on 24 May that she was unaware of the Baptists' situation: "I don't have any information about it." She directed Forum 18 to her colleague, a vice-chairman of Zelva District Executive Committee who deals with construction issues. Viktor Yurkevich's telephone went unanswered on 24, 25 and 28 May, however.

According to the Zelva church member, obtaining state permission to build or renovate prayer houses in the local area continues to be "very difficult". A prominent example of this problem is the ongoing attempt by the charismatic New Life Church to obtain state permission for the reconstruction as a church of its disused barn in the capital, Minsk. Following hearings at the Higher Economic Court on 19 and 22 March, Judge Yekaterina Karatkevich adjourned the church's case indefinitely due to "the need to send questions to competent organs in order to clarify their view on the given situation," according to New Life's website.

Present at the 19 March hearing, religious freedom lawyer Dina Shavtsova recently suggested to Forum 18 that "the absence of a legal basis to sort it out sensibly" was contributing to the deadlock. The Minsk authorities continue to insist to the Higher Economic Court that the disused barn should be confiscated, because New Life has not been using the land on which the barn is built for its officially designated use – even though animal husbandry is illegal within Minsk (see F18News Service 22 September 2006 http://www.forum18.org/Archive.php?article_id=844). Shavtsova maintained to Forum 18, however, that this terminology is not clearly defined by law. According to her interpretation, a change of land use should involve substantial alteration to the land itself, for example road construction or mining. She also pointed out that, elsewhere in Minsk, a Soviet-era sports stadium hosts trading markets at weekends, "but nobody claims this is a violation of its designation."

Four thick files of correspondence with municipal officials and 18 months of court cases having failed to secure the right to use their own land and building for worship, members and supporters of the Minsk-based charismatic New Life Church began a hunger strike on 5 October 2006. Within just two weeks the church's pastor, Vyacheslav Goncharenko, was invited to see a top-ranking presidential administration official, who hinted that a legal resolution was possible (see F18News 20 October 2006 http://www.forum18.org/Archive.php?article_id=858). Since opening a review of the case in late December 2006, however, the Higher Economic Court has repeatedly postponed – and now adjourned – its verdict (see F18News 12 March 2007

http://www.forum18.org/Archive.php?article_id=930).

In Belarus, property problems mainly affect Protestant communities. Unlike the other major confessions present in the country - Orthodox and Catholic (non-Christians such as Jews and Hare Krishna devotees are present only in small numbers) - they are much less likely to own historical worship buildings, which are the main premises within which religious events do not require state permission under the 2002 Religion Law. Where Protestant communities do not have designated worship buildings, their congregations are also more likely to be too large to meet discreetly in a private home.

A related difficulty to problems such as those faced by New Life is the near impossibility of getting property formally redesignated for non-residential use. Pastor Aleksandr Knysh of Christmas Baptist Church in the town of Ivatsevichi (Brest Region) told the Evangelical Belarus Information Centre in late April that for several years the local authorities have refused to allow the construction of a new church building in place of his congregation's present one. This refusal is claimed by the authorities to be because the site the church occupies is designated for residential housing. Gennady Brutsky, the Baptist Union's elder for Minsk Region, similarly told Forum 18 on 22 May that Ascension Church in Dzerzhinsk is still unable to obtain compulsory state registration as its prayer house is technically a residential building (see F18News 3 August 2006 http://www.forum18.org/Archive.php?article_id=822).

The 1998 Civil Code and the 1999 Housing Code both prohibit an organisation from being located at a residential address, unless it has been redesignated as non-residential premises. While the restrictive 2002 Religion Law allows a religious organisation to meet at free-standing residential premises with the approval of the local authorities, in practice this is highly dependent upon the discretion of individual officials (see F18News 7 October 2003 http://www.forum18.org/Archive.php?article_id=155). The authorities have consistently obstructed religious communities from meeting for worship in residential buildings (see F18News 28 July 2005 http://www.forum18.org/Archive.php?article_id=619). Restrictive interpretation of the law may result in worshippers being fined (see most recently F18News 28 May 2007 http://www.forum18.org/Archive.php?article_id=964).

Gennady Brutsky of the Baptist Union told Forum 18 that Protestant leaders have been trying to have this situation addressed for over four years. This spring, for example, the leaders of the Adventist, Baptist and Pentecostal leaders appealed to President Aleksandr Lukashenko. The Presidential Administration's Department for Communication with Citizens responded by confirming that religious organisations may legally meet in private homes, with the agreement of the local state authorities. Brutsky also said that he has heard state officials promise to take religious communities' concerns into account during the current revision of the Housing Code, "but as far as I understand, this will take a minimum of five years."

Protestant communities also have great difficulties in renting buildings to meet for worship. A consistent pattern has emerged over a number of years, in which those who control premises for rent regularly back out of contracts with Protestants soon after the authorities are informed (see F18News 29 May 2007 http://www.forum18.org/Archive.php?article_id=965).

In the view of Pastor Aleksandr Knysh of Christmas Baptist Church, however, the official status of his congregation's building is not the main factor: "The situation will never be resolved as long as we are regarded as sectarians." On 17 May the head of the Pentecostal Union, Sergei Khomich, complained to the state television channel Lad about a 12 May programme encouraging intolerance of religious minorities. After warning viewers about the danger to Belarusian society posed by destructive cults and faith-healers, the programme reportedly showed a clip of a service in his own Grace Pentecostal Church, as well as its recent missionary conference, with the commentary: "People with significant wealth often find themselves the target of sects."

The Belarusian state tends to regard Protestant communities negatively, because it sees them both as ideologically and spiritually threatening (see F18News 8 August 2006 http://www.forum18.org/Archive.php?article_id=824) and as the major source of religious-political dissent (see F18News 29 November 2006 http://www.forum18.org/Archive.php?article_id=880). Recently, Protestant communities have been prominent in a nationwide campaign to petition to change the Religion Law (see F18News 16 May 2007 http://www.forum18.org/Archive.php?article_id=957). (END)

For more background information see Forum 18's Belarus religious freedom survey at http://www.forum18.org/Archive.php?article_id=888.

A survey of the religious freedom decline in the eastern part of the Organisation for Security and Co-operation in Europe (OSCE) area is at http://www.forum18.org/Archive.php?article_id=806.

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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