

TABLE OF CONTENTS

MEETING OF THE DELEGATION FOR RELATIONS WITH BELARUS, 27 MAY 2008

1. Legal Petition Addressed to the European Parliament.....p. 2
2. "Report of the Special Rapporteur on the situation of human rights in Belarus (Mr. Adrian Severin) [A/HRC/4/16]" 15 of January 2007 (p. 10-11: freedom of religion).....p. 30
3. U.S. Department of State country report on human rights practices, 2007 of March, 11, 2008 (Section 2: Respect for civil liberties including freedoms of assembly, association and religion).....p. 31
4. International Religious Freedom Report 2007: Released by the Bureau of Democracy, Human Rights, and Labor.....p. 39
5. Annual report of the United States Commission on International Religious Freedom, May 2007 (p. 175-182).....p. 58
6. Forum 18 Religious Freedom Survey on Belarus 2006.....p. 65
7. Belarus: Officials Justify Rejection of Religious Freedom Petition.....p. 73
8. International Helsinki Federation for Human Rights – Report 2007: "Human Rights in the OSCE Region: Europe, Central Asia and North America, Report 2007 (Events of 2006); From Flawed Elections to Crushing of Civil Society" (p. 252ff.).....p. 76
9. Human Rights Watch Country Summary: Belarus (January 2008) (p.2-3).....p. 78
10. Council of Europe Excerpt Regarding Application of Criminal Sanctions for Basic Democratic Activity; Report on Abuse of the Criminal Justice System in Belarus – The Committee on Legal Affairs and Human Rights, Rapporteur: Mr. Christos POURGOURIDES, Cyprus, Group of the European People's Party, December 2007 - II. "Specific Criminal and Administrative Provisions Targeting the Political Opposition, Civil Society and Independent Media".....p. 79
11. Freedom House Report, The World's Most Repressive Societies 2007 (p. 12).....p. 81
12. Nations in Transit 2007 [Freedom House], Belarus Survey, Authored by Vitali Silitski (p. 146).....p. 82

13. (I) Legal Basis

This petition, submitted procedurally under Title VIII, Rule 191(10) of the Rules of Procedure of the European Parliament¹ and substantively under Rule 191(1)², is made on behalf of a substantial segment of the people of the Republic of Belarus, as represented by the attached 50, 400 signature petition and under the advocacy of the undersigned political leadership; and is made with regard to breaches by the Republic of Belarus of European and international law in the areas of basic democratic human rights, religious freedom, freedom of association, freedom of expression, respect for privacy and the right to be free from discrimination.

Rule 191(10) provides:

The Petitions addressed to Parliament by natural or legal persons who are neither citizens of the European Union nor reside in a Member State nor have their registered office in a Member State shall be registered and filed separately. The President shall send a monthly record of such petitions received during the previous month, indicating their subject matter, to the committee responsible for considering petitions, which may request those which it wishes to consider.

Rule 191(1) sets the substantive pre-condition that the petition must address, individually or in association with other persons, a matter which comes within the European Union's fields of activity and which affects him, her or it directly.

The instant petition meets the substantive requirement of the Rules of Procedure by addressing violations of European and international law, the texts of which are annexed to the end of this petition, and come within the sphere of

¹ 16th Edition, February 2008.

² Id.

activities of the European Parliament's Human Rights Committee, Foreign Affairs Committee, Delegation for Relations with Belarus and Committee on Security and Defense.

This petition shall focus primarily on the 2002 Law on Freedom of Conscience and Religious Organizations and its application against non-Orthodox religious minorities. This petition recalls the role of religious movements at the grass roots level in mobilizing efforts to reign in democratic rule in the former Eastern Bloc. Absent the courageous efforts of organized religious associations with labor trade unions in the former Eastern Bloc nations, the current political landscape of Europe would be far different then it is today.

It is within this historical framework, that the undersigned Petitioners ask both the honourable President of the European Parliament and this esteemed Committee on Petitions, to analyze the instant application. The current restrictions placed on freedom of religion, expression and association greatly impedes the ability of the citizens of Belarus to pursue true and meaningful democratic reform and has made increasingly difficult the prospects of self-determination. By placing heavy-handed restrictions on the right to freely meet and share matters of faith and to exchange information in an open and safe setting, the people of Belarus are being denied some of their most basic and fundamental of human rights. It is therefore, with a view to change and the hope associated with liberty, that the undersigned ask you President Poettering and the esteemed Committee on Petitions to intervene on our behalf, utilizing all available diplomatic, economic

and political means at your disposal, to help restore these most basic of freedoms to the people of Belarus.

(II) Overview

Belarus maintains a key geo-political role within Europe, bordering three European Union Member States and being the Russian Federation's ally and link to Europe. Furthermore, Belarus has the notorious distinction of being the only European nation which is not a member of the Council of Europe. Precisely stated, the people of Belarus are the only Europeans who do not enjoy the protections of the European Convention of Human Rights. This fact alone makes all the more critical the role of the European Union in ensuring diplomatically, the compliance of Belarus to its treaty obligations under both the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, as well as prevailing European law and customary international law.

The twin pillars of freedom and democracy are illusory unless supported by the rule of law. The mere fact of having laws and international treaty obligations is meaningless unless those commitments are honoured. Belarus has through a lack of international transparency, the provision of unfettered discretion to state organs and administrative agencies, and through systematic discrimination of minority and opposition groups in the country, earned from this European Parliament the moniker of being the last dictatorship in Europe.³

³ European Parliament Resolution on the Situation in Belarus after the Presidential Election of 19 March 2006 (P6_TA(2006)0137), adopted on 6 April 2006.

Central to democratic rule is the freedom of conscience and religion. Religious freedom is one of the vital elements that go to make up the identity of believers and their conception of life.⁴ This fundamental right has taken the position of a substantive right under European law.⁵ This freedom however has been stifled and greatly abused within Belarus, particularly since the enactment of the 2002 Law on Freedom of Conscience and Religious Organizations; a law which itself comes into direct conflict with both the Belarusian Constitution as relates to freedom of religion and freedom from discrimination and international treaty obligations.

The right to freedom of religion is recognized among the fundamental human rights enumerated in the Universal Declaration of Human Rights⁶, the European Convention of Human Rights⁷ and the Charter of Fundamental Rights of the European Union⁸; and its practice is an essential manifestation of human liberty. This fundamental right, as affirmed by the Preamble of the Universal Declaration of Human Rights, is inalienable and belongs to all members of the human family.

⁴ Cf. ECtHR, 20 September 1994, Otto-Preminger-Institut v. Austria, Series A, No. 295-A; JDI, 1995, p. 772.

⁵ Cf. ECtHR, 25 May 1993, Kokkinakis v. Greece, Series A, No. 260-A; ECtHR, 23 June 1993, Hoffmann v. Austria, Series A, No. 255-C; JDI, 1994, p. 788; Otto-Preminger-Institut, *op. cit.*; ECtHR, 26 September 1996, Manoussakis and Others v. Greece, Reports 1996-IV: AFDI, 1996, p. 749.

⁶ United Nations, Universal Declaration of Human Rights, Adopted and Proclaimed by General Assembly Resolution 217 A (III) of 10 December 1948, Art. 18: “Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.”

⁷ Article 9 of the European Convention of Human Rights.

⁸ Article 10, Charter of Fundamental Rights of the European Union, (2000/C 364/01).

(III) Law on Freedom of Conscience and Religious Organizations

In 2002, among widespread disapproval by people of faith in Belarus and the population in general, Belarus enacted the Law of Freedom of Conscience and Religious Organizations. In essence, the law provides vast amounts of discretionary authority in Belarusian officials with regard to the practice of even the most basic and fundamental rights of freedom of conscience and religious practice. Under the colour of this law, a systematic attempt to restrict and control minority religious practice in the country has taken place. The simple act of public assembly for the purpose of discussing religious scripture without prior registration for example, may be punishable by imprisonment. All acts of religious congregation must take place within premises which have received previous approval for religious meeting by State officials. However, state practice in Belarus has been the mass denial of such registration permits.

The law and its application are critically deficient with regard to international standards in a number of ways: (a) disparate treatment of minority religions; (b) imprisonment of organizers of religious events; (c) deportation of religious workers, no provision in the law allowing for the presence of international religious organizations, and slander of non-traditional religious groups; (d) official warnings for even the most minor violations of the 2002 Law on Religions and fines ; (e) refusal of registration or rent for use of premises as a place of religion; (f) military conscripts questioned on their religious affiliation; (g) other Draconian measures used as a chilling effect on freedom of religion.

(a) Disparate Treatment of Minority Religions

The Belarusian Orthodox Church is delegated a special status within Belarus due in part to the percentage of Belarusian's who identify themselves as Orthodox, almost 80% (of which 50% consider themselves believers), and because of a concordat signed between the church and the Belarusian government in 2003 granting it privileged status. The United Nations Human Rights Council found in its most recent report on Belarus that it continues to be the case that the Orthodox Church in Belarus enjoys rights and privileges denied to other religious organizations in the country. The Special Rapporteur also found that despite ongoing protest from minority religious groups, State textbooks continue to make false and slanderous statements aimed to discredit religious minorities.⁹

Traditional religions in Belarus, which include Roman Catholicism, Judaism and some Protestant denominations, fair slightly better than minority religions due to their long history in Belarus and sizable membership. Roman Catholics for example, make up 14 % of the religious population, stemming from the robust Polish community primarily located in Western Belarus. Nonetheless, these groups also share in the hardships of other non-Orthodox religions. Criticism of the Belarusian government by the Roman Catholic Church for example has been met on several occasions by state threats of mass deportation of clergy. Individual parishes are also not immune from State oppression.

A current example is Holy Trinity Catholic Church located in the town of Rechytsa, where the senior parish priest Fr. Gregorz Chudek had to leave Belarus

⁹ United Nations Human Rights Council, Report of the Special Rapporteur on the Situation of Human Rights in Belarus, Adrian Severin, 4th Session, A/HRC/4/16, 15 January 2007, ¶ 29.

under a deportation order despite ten years of peaceful service to the church. No official reason was given for cancellation of the Polish priest's visa, and more than 700 Catholics in the country have protested the order. Earlier in 2007, Fr. Chudek had given an interview to a Polish newspaper with a description of the social malaise within Belarus; this being the only plausible explanation of the order as State officials refuse to comment on the case.¹⁰

This instance is not, however, an isolated incident. Refusal to extend visas or the cancellation of visas for Catholic priests is far from rare. In 2006 twelve Polish Catholic priests and nuns were told that their visas were not to be renewed at the end of the year.¹¹

Nor has the Catholic Church in Belarus, despite having a traditional presence in the country, been immune from the registration problems facing minority religious groups. The United Nations Human Rights Council also noted in its most recent in-country human rights report that on 01 December 2006, Catholic members of the Parish of Our Lady of Vostraja Brama began a hunger strike demanding the executive committee of Grodno over-turn the decade long refusal to allow them to build a new church.¹²

Of gravest concern is the situation of the non-traditional minority religions within Belarus. For such minority religions, the concept of religious freedoms is greatly limited in expression. Despite organized and resilient opposition to

¹⁰ Geraldine Fagan, Belarus: Parish to lose "nothing" when veteran priest expelled?, Forum 18 News Service, 7 December 2007.

¹¹ United Nations Human Rights Council, Report of the Special Rapporteur on the Situation of Human Rights in Belarus, Adrian Severin, 4th Session, A/HRC/4/16, 15 January 2007, ¶ 30.

¹² Id., 34.

treatment contrary to international law and in violation of United Nations treaty obligations, the situation for these minority religions remains dire. A poignant and very recent example is the mass hunger strike by some 200 Evangelical Christians on behalf of New Life Church, where a building permit to allow for legal religious gatherings had been denied for several years without just cause. The hunger strike lasted 23 days with the later response of the State being that district medical clinic personnel refuse to carry out regular medical examinations on those who fell ill as a result of the hunger strike.¹³

Opposition to the on-going religious freedoms violations happening in Belarus are widespread and not isolated only to the Protestant minority. On 3 June 2007, more than 3000 Christians from across Belarus gathered together in Minsk to protest the on-going violations of religious rights, including the imminent deportation of Polish Christian, Jaroslaw Lukasik, and the police raid on the John the Baptist Church, which resulted in the detentions of Lukasik and Pastor Antony Bokun. More than forty religious leaders expressed their concern regarding the deportation of Lukasik in the form of a public appeal to the Citizenship and Migration Department for Interior Affairs and to the administration of President Alexander Lukashenko, asking for the deportation order to be rescinded.¹⁴

Also, a 130 person candle light vigil was held on behalf of the Catholic Church of St. Joseph in Minsk on March 19, 2007 to protest ongoing registration issues with the Minsk City authorities who wish to divest the church of its title

¹³ See e.g. *Id.*, ¶ 32; see also: Christian Solidarity Worldwide, Briefing: Belarus Religious Freedoms Violations, January 2008.

¹⁴ Christian Solidarity Worldwide, Briefing: Belarus Religious Freedoms Violations, January 2008.

and turn the land into a hotel and amusement park. A petition addressed to President of the Republic of Belarus regarding the planned confiscation has already garnered 20, 000 signatures.

Furthermore, a nationwide campaign was begun in April, 2007, known as the “In Defense of the Right to Freedom of Conscience” campaign, to mount a challenge to the rapidly deteriorating religious freedoms situation in Belarus stemming from the 2002 Law on Religions. The campaign spans several religious denominations and political groups and was initially spearheaded by the leaders of the Belarusian Christian Democracy political opposition. The product of this campaign is the 50, 400 person petition submitted in conjunction with this legal petition, and will also be used as the basis for an appeal to the Belarusian Constitutional Court to examine the compliance of the current law with the Constitution of the Republic of Belarus and international norms.¹⁵

(b) Imprisonment of Organizers of Religious Events

One of the most disturbing aspects of the religious freedoms situation in Belarus is the very real possibility of being imprisoned for enjoying even the most basic and fundamental right to congregate with people of the same faith and exercising the right of belief and religious practice. Anthony Bokun, a Pastor in Minsk and signatory to this petition, summarized the situation succinctly: “Any religious figure can be detained in any situation. My “guilt” was holding a religious meeting, being a pastor and being in the church on Sunday.”¹⁶

¹⁵ Id.

¹⁶ Id.

The issue of imprisonment for basic acts of religious faith has been well detailed in a briefing published just last month on Belarus drafted for the NGO Christian Solidarity Worldwide. The Criminal Code of the Republic of Belarus mandates a five and a half years term of imprisonment for “discrediting Belarus” by providing “fraudulent representation of the political, economic, social, military or international situation.” In practice law-enforcement institutions may interpret any information given to international organizations and spread abroad as being contrary to the actual situation and therefore false. As such, human rights defenders who have presented the information for both the CSW report and this petition risk being accused of this very crime.

Under the guise of maintaining public order and protecting national security, criminal penalties including imprisonment have been drafted into the law by the Lukashenko government to actively undermine religious activity in the country. The most commonly used statutes are Article 25 of the 2002 Law on Freedom of Conscience and Religious Organizations, and Articles 9.9 and 23.24 of the Administrative Violations Code, the former of which prescribes fines and criminal sanctions of up to six months [or two years in aggravated cases] imprisonment for the activities of an unregistered religious association. Article 23.24 is correlated to Article 25 of the Law on Freedom of Conscience and Religious Organizations which makes obligatory the requirement of receiving previous permission from State officials to hold any manifestation of religious

activity in any place not considered by the State to be a premises used for religious purposes.¹⁷

Article 25 of the 2002 religious law states that any religious activity in a public place can only be conducted with prior permission of the local authority.¹⁸ However, unlimited discretion is given local officials in denying permits which is done both systematically and on a routine basis. Even private meetings on personal premises are greatly controlled by the State and could lead to fine and imprisonment if deemed to violate public order.

Article 23, Part 34 of the Administrative Violations Code entitled: “Violation of the established order of organizing and holding gatherings, meetings, street processions, demonstrations, other mass actions or vigils” is also widely used for the imposition on fines on religious leaders and individual believers.¹⁹

In March 2006, under the provisions of these laws, Pastor Georgi Vyazovsky, of the Minsk-based Christ’s Covenant Reformed Baptist Church, was arrested and imprisoned for a period of 10 days for holding a prayer meeting in a private home without prior permission of the local authorities. Similarly, that same month, human rights lawyer and signatory to this petition Sergei Shavtsov was imprisoned for ten days for organizing a religious meeting among various local religious denominations with an international speaker in a public café

¹⁷ Id.

¹⁸ Id. Article 25 of the Law on Freedom of Conscience and Religious Organizations states that “worships, devotions, rituals and ceremonies as well as other religious events in the open air or in premises that are not specially dedicated for this purpose can be conducted only after a proper decision has been made by a head of a local executive and administrative body or his/her deputy in the order determined by the legislation of the Republic of Belarus.”

¹⁹ Id.

without the permission of the local authorities.²⁰ Mr. Shavtsov, a frequent litigator on behalf of religious dissidents within the country, defended himself at the hearing and was told prior to sentencing that the only true religion in Belarus was Orthodoxy and all other religions in Belarus were sects.

In May of last year, during a Sunday morning Pentecostal religious service at a private residence rented by John the Baptist Church, approximately fifteen State officials, including KGB officials, members of the Minsk Executive Committee's Guard Department, and Central Internal Affairs Office's Guard Department personnel raided the service demanding that all foreigners leave, while keeping a police car on duty outside the premises to ensure no Belarusian worshippers were able to leave on their own volition. Agents had apparently infiltrated and videotaped the service and provided no form of process or identification to the church members upon raiding the premises.

The event's organizer, Pastor Anthony Bokun, was placed into custody and formally arrested. Jaroslaw Lukasik was taken into custody simply for being in the church at the time of the service. Pastor Bokun was held overnight prior to the court proceedings the following morning. Mr. Lukasik, a Polish national, escaped formal arrest and imprisonment as a result of the intervention of a Polish diplomat on his behalf. Despite the presence of over 100 Evangelical protesters at the Court, including Pastor Bokun's pregnant wife, and that fact that the religious service had been done in commemoration of a major Christian religious holiday, Pastor Bokun was heavily fined for his role in organizing the religious service. Mr. Lukasik was presented a deportation order and a ban on re-entry into the

²⁰ Id.

country for a term of five years after his permission to stay in the country had been annulled on May 8th, prior to the Pentecost event, when he was asked to leave the country for harming Belarusian national security by taking part in religious activity without prior permission.²¹

Less than one month later, Pastor Bokun was once again arrested and detained for his participation in organizing a religious event without a permit at the Dolginovski Road, 54a building, which is a private house rented under the name of Pastor Bokun. The service was raided during communion, and no warrant or identification documents were shown to substantiate the legality of the arrest. On 4 June 2007, Pastor Bokun was taken and detained for eight hours on a hot and sunny day in the back of a police van, the holding space measuring three square meters which he had to share with six students who were held for taking part in an unsanctioned procession.

Pastor Bokun was subsequently sentenced to three days imprisonment for holding an illegal religious meeting. During the period of his overnight pre-sentencing holding he was denied his medication for high blood pressure and emergency medical services needed to be called in to attend to him as a result of his medical condition. After serving the term, he appealed the sentence and the treatment of his detention as unnecessarily violent; the sitting judge Valeri Ecman studied the appeal and ruled against it within five minutes.²²

(c) Deportation of Religious Workers, No Provision in the Law Allowing for the Presence of International Religious Organizations; and Slander of Non-traditional Religious Groups

²¹ Id.

²² Id.

Belarus has, under the Lukashenko governance, become an isolated and closed off society. Information leaving the country is tightly censored and Belarusian citizens who speak poorly of the state of affairs in Belarus to international sources are under constant threat of imprisonment. Democracy requires a plurality of ideas, transparency, tolerance and broadmindedness. The people of Belarus are not able to enjoy even these, the most basic of freedoms, as religious workers are frequently deported or denied visas, thus making the import of ideas and philosophies virtually impossible.

In 2006, for example, the work permit of United States citizen Stewart Vinograd, pastor of a Minsk based Messianic Jewish congregation was terminated. That same year, as already noted, twelve Catholic clergy were denied renewal of their work permits. The Full Gospel Union was also denied a visa to allow a Nigerian preacher to come speak to their congregation without due cause.²³

In September of 2007, Belarus' Vice-Premier Aleksandr Kosinets made statements suggesting that Belarus will either cease to renew work permits or deport all foreign religious workers.²⁴ Despite such an open and notorious breach of international norms, Belarus has been actively deporting and keeping outside its borders foreign religious workers under the auspices of the National Security Concept, signed by President Lukashenko on 17 July 2001, which includes

²³ United Nations Human Rights Council, Report of the Special Rapporteur on the Situation of Human Rights in Belarus, Adrian Severin, 4th Session, A/HRC/4/16, 15 January 2007, ¶ 30-31.

²⁴ Geraldine Fagan, Forum 18, Belarus: How serious is official call to phase out foreign clergy?, 1 October 2007.

provisions regarding the deportation of religious workers for protection of national security.²⁵

Other examples of deportation orders include the expulsion and ban of ten American workers in Mogilyov in February 2007²⁶; the deportation of religious charity worker and US citizen Travis Decker in March 2007²⁷; and on 17 May 2007 an Israeli rabbi based in Belarus was banned from further religious activity in the country²⁸.

Of equal concern is the fact that no functioning statute in Belarusian law allows for the existence of foreign religious organizations with charitable or missionary aims.²⁹ As such, groups such the Salvation Army cannot legally exist or function within Belarus. Other popular missionary groups, wishing to remain anonymous for the purposes of this petition as a result of their continued underground presence in the country, also have been formally forbidden to register and legally function in Belarus.

To promote the indoctrination against foreign and minority religions and religious missionary and charitable groups, the Ministry of Education has issued slanderous statements in State sponsored education textbooks.³⁰ It should be noted that the same practices were used in the Russian Federation with regards both the

²⁵ Geraldine Fagan, Forum 18, Belarus: Foreign Protestants expelled for “harming national security”, 17 May 2007.

²⁶ Christian Solidarity Worldwide, Briefing: Belarus Religious Freedoms Violations, January 2008.

²⁷ Id.

²⁸ Geraldine Fagan, Forum 18, Belarus: Foreign Protestants expelled for “harming national security”, 17 May 2007.

²⁹ Interview with Belarusian attorney Sergei Shavtsov, December 2007.

³⁰ United Nations Human Rights Council, Report of the Special Rapporteur on the Situation of Human Rights in Belarus, Adrian Severin, 4th Session, A/HRC/4/16, 15 January 2007, ¶ 31.

use of government textbooks to defame religious groups as threats to national security and a systematic crack-down on foreign religious institutions. The European Court of Human Rights judged that these activities were clear violations of European law and provided the Applicant group, the Salvation Army, damages in October 2006.³¹

(d) Official Warnings/Fines

Another popular tactic for attacking religious freedom has been the use of official warnings given by the state authorities for taking part in religious activities not previously approved by the local authorities. This measure is used as a scare tactic to dissuade would-be participants in minority religious groups from actively participating in religious events such as prayer meetings and Bible studies. With the constant threat of imprisonment, official warnings act as a strong deterrent against religious activity.

Committees such as the one set up by the regional chairman of the CRNA in Gomel in 2005 to monitor and investigate minority religious groups to ensure compliance with the 2002 Law on Religions is a troubling development. Such committees, made up of local executive government, tax officials, law enforcement, and public representatives are in constant danger of becoming glorified witch-hunts.³²

³¹ ECHR, Case of the Moscow Branch of the Salvation Army v. Russia, Judgment of 5 October 2006, Application No. 72881/01. The case is noteworthy in that it was the first finding of an Article 9 (religious freedoms) violation in the Russian Federation. ECLJ affiliates the Slavic Centre for Law and Justice acted as counsel for the Applicants.

³² See e.g. U.S. Department of State (Released by the Bureau of Democracy, Human Rights and Labor), Belarus: International Religious Freedom Report 2006.

Official warnings ultimately take several forms: (1) Warnings to dissuade public or private religious meetings. Such warnings, for example, were issued against Pastor Georgi Vyzazorsky of Christ's Covenant Reformed Baptist Church several months prior to his arrest, detailed above, for holding worship services in private premises and against Pentecostal bishop Segei Tsvor on similar counts.³³ (2) Warnings for use of premises as an unregistered place of worship. Three warnings were issued against Christ's Covenant Reformed Baptist Church for holding services in an unregistered "legal address."³⁴ The 1000 member Minsk based Hare Krishna received six warnings for use of an unregistered place of worship in 2004. A complaint was made to the United Nations' Commission on Human Rights which in 2005 recommended all rights be restored to the Community.³⁵ As of the writing of this petition, the Belarusian authorities have failed to implement that recommendation and had in January 2006 formally rejected the findings of the Human Rights Committee.³⁶ A total of five warnings were issued against New Life Church for holding services in an unregistered location, despite numerous attempts to register the facility. The denial of registration and threat of forced closure culminated in last year's mass hunger strike.³⁷ (3) General harassment. On January 2007, the State Committee on Nationalities and Religious Commissioner cited the Evangelical Lutheran

³³ Id.

³⁴ Id.

³⁵ See: CCPR/C/84/D/1207/2003 of 23 August 2005.

³⁶ U.S. Department of State (Released by the Bureau of Democracy, Human Rights and Labor), Belarus: International Religious Freedom Report 2006; United Nations Human Rights Council, Report of the Special Rapporteur on the Situation of Human Rights in Belarus, Adrian Severin, 4th Session, A/HRC/4/16, 15 January 2007, ¶ 30.

³⁷ Id.

Churches Union on 10 counts of breaching its charter, despite all 10 counts being technicalities such as grammar mistakes and no breaches of law being found.³⁸

Fines are also used as a deterrent against religious activity and are particularly effective because of the poor economic state of the country. Several examples suffice:

- In May 2006, Illya Radkevich, pastor of the Full Gospel Christian Community was fined for leading an unsanctioned religious ceremony.
- In April 2006, Boris Khamaida was fined US \$2, 600 for demonstrating with a sign that contained a gospel of Matthew quotation.
- Separate fines on different occasions were levied against Baptist pastor Yermalitsky and his wife for hosting unsanctioned religious meetings.
- New Life Church administrator Vasily Yurevich has been fined a total of US\$ 5, 800 for unsanctioned religious activities. The pastor of the church, Vyacheslav Goncharenko, has also been fined for holding prayer meetings.
- Council of Churches Baptist pastor Valery Ryzhuk was fined in June 2005 for leading an unlawful religious service.
- Also in 2005, local officials fined leaders of a village parish of the Russian Orthodox Church Abroad in the Brest region for organizing unsanctioned religious meetings and events in their homes totaling US\$ 1, 835.³⁹

(e) Refusal of Registration or Rent for Use of Premises as a Place of Worship

The 81st Plenary Meeting of the 61st Session of the Generally Assembly of this UN body decried the current harassment and closure of religious organizations and their places of operation and called on increased religious freedom in the country.⁴⁰ The Commission on Human Rights had similar

³⁸ Christian Solidarity Worldwide, Briefing: Belarus Religious Freedoms Violations, January 2008.

³⁹ See: U.S. Department of State (Released by the Bureau of Democracy, Human Rights and Labor), Belarus: International Religious Freedom Report 2006. Forum 18 News service also provides regular updates on the deteriorating situation in Belarus with frequent coverage of the fining of religious minorities. Additionally, the UNHCR Refworld database on Belarus provides a wealth of source material on the issue:
<http://www.unhcr.org/cgi-bin/texis/vtx/refworld/rwmain?page=country&skip=0&publisher=FORUM18&category=COI&coi=BLR>.

⁴⁰ UN General Assembly Resolution, Situation of Human Rights in Belarus, A/61/443/Add.3, 19 December 2006, 1(g), 2(f).

sentiments lamenting the increased restriction on religious freedoms in Belarus in 2004.⁴¹

The 2002 Law on Freedom of Conscience and Religious Organizations makes illegal any religious organization with fewer than 20 persons⁴²; it forbids the invitation of foreign religious workers unless that organization has a registered umbrella group⁴³, and it requires that all religious groups be registered and that their religious activity take place on state registry approved premises.⁴⁴

No limits are placed on the discretion allotted to administrative personal with regard to granting such registration rights. Registration is routinely denied leaving religious groups to meet in private homes and public places like cafes, which under the law is also deemed illegal with criminal sanctions of fines and imprisonment.⁴⁵

The already mentioned New Life Church situation provides perhaps the best example. Despite being a church of some 1000 members, fulfilling all of the registration requirements and making multiple attempts to receive permission for holding religious meetings, New Life received five official warnings and threat of closure with the offer of nominal compensation for the property before the church's organization of its hunger strike.⁴⁶

⁴¹ UN Commission on Human Rights, Commission on Human Rights Resolution 2004/14: Situation of Human Rights in Belarus, 15 April 2004. E/CN.4/RES/2004/14.

⁴² Law on Freedom of Conscience and Religious Organizations (2002), Republic of Belarus, Article 15.

⁴³ Id. The Law requires that in order to have such an umbrella, the religious association in question must have been active in Belarus for a minimum of 20 years.

⁴⁴ Id., Articles 16-18, 25.

⁴⁵ See: Id., 25.

⁴⁶ *Supra* n. 36.

Similarly, a hunger strike was begun by the parishioners of the Roman Catholic parish in Grondo who, during a period of ten years since their initial appeal to State institutions, had still not received land to build a Catholic church.⁴⁷ The Baptist church in Zelva was also denied a permit to reconstruct their building. After two years of filing requests, the church amended their request to make much needed structural repairs on their old building which was also denied. Upon beginning the needed reconstruction anyway, work was immediately halted by state officials.⁴⁸

At the same time, minority groups are frequently denied the ability to register to hold religious events on rented premises. For example, John the Baptist church has had permits rejected on numerous occasions for holding services at the Dolginovski Rd. location where they had been holding meetings peacefully for six years before state officials began intervening. They have also been denied a permit for services at the Minsk Trade Union's Palace.⁴⁹

With regard to state interference into religious worship in the home, such as happened with Pastor Dmitry Ozyko and his Baptist congregation, the state clearly violates its own constitutional protections of the inviolability of the home as guaranteed in Article 29 of Belarus' Constitution. Pastor Ozyko was fined approximately two weeks wages for holding a private worship service in his home.⁵⁰

⁴⁷ Christian Solidarity Worldwide, Briefing: Belarus Religious Freedoms Violations, January 2008.

⁴⁸ Id.

⁴⁹ Id.

⁵⁰ Felix Corley, Forum 18, Belarus: "To pray to God they must have a registered place of worship", 17 December 2007.

(f) Military Conscripts Questioned on their Religious Affiliation

In open contradiction to Article 5 of the 2002 Law on Freedom of Conscience and Religious Organizations which states that: “nobody is obliged to give statements about his/her attitude towards religion and can be compelled to do so while determining the attitude towards religion, practicing one or another religion, participation or not participation in activities of religious organizations;” and Article 7 stating that “a citizen is not obliged to give statements about his/her attitude towards religion in official documents unless he/she wishes it himself/herself;” military conscripts are required to answer the following questions upon entry into military service:

1. Do you confess any religion?
2. Do you attend the services of any religious community?
3. Do you belong to any non-traditional religious organisation? (Jehovah’s witnesses, Great White Brotherhood, Satanists, Baptists, Pentecostals...)
4. Do your relatives belong to any sect?⁵¹

The affirmative answer to any of these questions leads to further questioning and the requirement that conscripts provide information regarding their religious leaders to the state.

(g) Other Draconian Measures Used as a Chilling Effect on Freedom of Religion

As detailed well already in this submission, the Belarusian state organs use many measures, both under the color of law and outside of the law, in effectuating its policy of stifling religious freedom and freedom of assembly. Contravention of

⁵¹ Christian Solidarity Worldwide, Briefing: Belarus Religious Freedoms Violations, January 2008.

privacy by videotaping of religious services and collecting information about religious leaders are just some of the measures used in promoting this agenda.

This petition has also shown what lengths the Belarusian authorities will go to in bringing an end to minority religious behavior. One of the more infamous examples given herein, was the refusal of State district medical clinic personnel to provide examination of those suffering ill effects from the New Life Church hunger strike earlier this year. The overall effect of the measures of the Lukashenko government with regard to religious freedoms violations shows that the iron curtain has once again fallen around Belarus. The KGB and local authorities continue to do the work they have always done, with utter disregard for fundamental human rights, civil and social rights, and protection of privacy.

(IV) Conclusion

Petitioners herein submit for review to the authority of the European Parliament, it's President Hans-Gert Poettering and the Committee on Petitions, our statements regarding breaches of European and international law in the realm of religious freedoms, freedom of expression and freedom of association. The lack of rule of law and the utter disregard for the political process in Belarus by the Lukashenko government has served to severely diminish the ability of its citizens to stand up for these most basic fundamental rights.

It is therefore, the plea of the undersigned 50, 400 persons and representatives of the political opposition and minority religious leaders of Belarus who are signatory to this petition, that the European Union act in its political, diplomatic and economic capacity to aid the people of Belarus in

bringing an end to the abuses of personal and collective liberties and human rights under the colour of the 2002 Law on Freedom of Conscience and Religious Organizations and that the European Parliament act to monitor continuing abuses of democratic rights both under this law and otherwise with the view to bringing the Republic of Belarus into conformity with its international treaty obligations.

APPENDIX:

SELECTED PROVISIONS OF EUROPEAN AND INTERNATIONAL LAW

(I) United Nations Treaty Obligations

(a) International Covenant on Civil and Political Rights⁵²

Article 18:

1. Everyone shall have the right to freedom of thought, conscience and religion. This right shall include freedom to have or to adopt a religion or belief of his choice, and freedom, either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching.
2. No one shall be subject to coercion which would impair his freedom to have or to adopt a religion or belief of his choice.
3. Freedom to manifest one's religion or beliefs may be subject only to such limitations as are prescribed by law and are necessary to protect public safety, order, health, or morals or the fundamental rights and freedoms of others. 4. The States Parties to the present Covenant undertake to have respect for the liberty of parents and, when applicable, legal guardians to ensure the religious and moral education of their children in conformity with their own convictions.

Article 19:

1. Everyone shall have the right to hold opinions without interference.
2. Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice.
3. The exercise of the rights provided for in paragraph 2 of this article carries with it special duties and responsibilities. It may therefore be subject to certain restrictions, but these shall only be such as are provided by law and are necessary:
 - (a) For respect of the rights or reputations of others;
 - (b) For the protection of national security or of public order (ordre public), or of public health or morals.

Article 20:

1. Any propaganda for war shall be prohibited by law.
2. Any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence shall be prohibited by law.

⁵² United Nations General Assembly res. 2200A (XXI), 21 U.N. GAOR Supp. (No. 16) at 52, U.N. Doc. A/6316 (1966), 999 U.N.T.S. 171, *entered into force* Mar. 23, 1976.

Article 27:

In those States in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with the other members of their group, to enjoy their own culture, to profess and practise their own religion, or to use their own language.

(b) International Covenant on Economic, Social, and Cultural Rights⁵³

Article 1:

1. All peoples have the right of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.
2. All peoples may, for their own ends, freely dispose of their natural wealth and resources without prejudice to any obligations arising out of international economic co-operation, based upon the principle of mutual benefit, and international law. In no case may a people be deprived of its own means of subsistence.
3. The States Parties to the present Covenant, including those having responsibility for the administration of Non-Self-Governing and Trust Territories, shall promote the realization of the right of self-determination, and shall respect that right, in conformity with the provisions of the Charter of the United Nations.

Article 2:

1. Each State Party to the present Covenant undertakes to take steps, individually and through international assistance and co-operation, especially economic and technical, to the maximum of its available resources, with a view to achieving progressively the full realization of the rights recognized in the present Covenant by all appropriate means, including particularly the adoption of legislative measures.
2. The States Parties to the present Covenant undertake to guarantee that the rights enunciated in the present Covenant will be exercised without discrimination of any kind as to race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.
3. Developing countries, with due regard to human rights and their national economy, may determine to what extent they would guarantee the economic rights recognized in the present Covenant to non-nationals.

⁵³ United Nations General Assembly res. 2200A (XXI), 21 U.N.GAOR Supp. (No. 16) at 49, U.N. Doc. A/6316 (1966), 993 U.N.T.S. 3, *entered into force* Jan. 3, 1976.

(II) Charter of Fundamental Rights of the European Union⁵⁴

Article 6: Right to liberty and security

Everyone has the right to liberty and security of person.

Article 7: Respect for private and family life

Everyone has the right to respect for his or her private and family life, home and communications.

Article 10: Freedom of thought, conscience and religion

1. Everyone has the right to freedom of thought, conscience and religion. This right includes freedom to change religion or belief and freedom, either alone or in community with others and in public or in private, to manifest religion or belief, in worship, teaching, practice and observance.

2. The right to conscientious objection is recognised, in accordance with the national laws governing the exercise of this right.

Article 11: Freedom of expression and information

1. Everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers.

2. The freedom and pluralism of the media shall be respected.

Article 12: Freedom of assembly and of association

1. Everyone has the right to freedom of peaceful assembly and to freedom of association at all levels, in particular in political, trade union and civic matters, which implies the right of everyone to form and to join trade unions for the protection of his or her interests.

Article 20: Equality before the law

Everyone is equal before the law.

Article 21: Non-discrimination

1. Any discrimination based on any ground such as sex, race, colour, ethnic or social origin, genetic features, language, religion or belief, political or any other opinion, membership of a national minority, property, birth, disability, age or sexual orientation shall be prohibited.

Article 49: Principles of legality and proportionality of criminal offences and penalties

1. No one shall be held guilty of any criminal offence on account of any act or omission which did not constitute a criminal offence under national law or international law at the time when it was committed. Nor shall a heavier penalty be imposed than that which was applicable at the time the criminal offence was

⁵⁴ (2000/C 364/01), Official Journal of the European Communities, 18.12.03.

committed. If, subsequent to the commission of a criminal offence, the law provides for a lighter penalty, that penalty shall be applicable.

2. This Article shall not prejudice the trial and punishment of any person for any act or omission which, at the time when it was committed, was criminal according to the general principles recognized by the community of nations.

3. The severity of penalties must not be disproportionate to the criminal offence.

(III) European Convention of Human Rights⁵⁵

Article 9: Freedom of thought, conscience and religion

1. Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief and freedom, either alone or in community with others and in public or private, to manifest his religion or belief, in worship, teaching, practice and observance.

2. Freedom to manifest one's religion or beliefs shall be subject only to such limitations as are prescribed by law and are necessary in a democratic society in the interests of public safety, for the protection of public order, health or morals, or for the protection of the rights and freedoms of others.

Article 10: Freedom of expression

1 Everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers. This article shall not prevent States from requiring the licensing of broadcasting, television or cinema enterprises.

2 The exercise of these freedoms, since it carries with it duties and responsibilities, may be subject to such formalities, conditions, restrictions or penalties as are prescribed by law and are necessary in a democratic society, in the interests of national security, territorial integrity or public safety, for the prevention of disorder or crime, for the protection of health or morals, for the protection of the reputation or rights of others, for preventing the disclosure of information received in confidence, or for maintaining the authority and impartiality of the judiciary.

Article 11: Freedom of assembly and association

1 Everyone has the right to freedom of peaceful assembly and to freedom of association with others, including the right to form and to join trade unions for the protection of his interests.

2 No restrictions shall be placed on the exercise of these rights other than such as are prescribed by law and are necessary in a democratic society in the interests of national security or public safety, for the prevention of disorder or crime, for the protection of health or morals or for the protection of the rights and freedoms of others. This article shall not prevent the imposition of lawful restrictions on the exercise of these rights by members of the armed forces, of the police or of the

⁵⁵ Council of Europe, Convention for the Protection of Human Rights and Fundamental Freedoms as amended by Protocol No. 11, Rome, 4 November 1950.

administration of the State.

Article 14: Prohibition of discrimination

The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.

"Report of the Special Rapporteur on the situation of human rights in Belarus (Mr. Adrian Severin) [A/HRC/4/16]" 15 of January 2007 (p. 10-11: freedom of religion)

Freedom of religion

29. The situation regarding freedom of religion has not improved since the last report of the Special Rapporteur. The Belarusian Orthodox Church still benefits from privileges not enjoyed by other religious organizations. Despite protests from religious communities, it has been alleged that State textbooks continue to make false allegations aimed at discrediting religious minorities.

30. The 2002 law "On religion" contains particular restrictions on religious freedom for foreign citizens. For instance, only religious associations made up of at least 10 registered religious communities and including at least one active on the national territory for at least 20 years have the right to invite foreign citizens to conduct religious activities. The five registered Belarusian Krishna communities complained to the United Nations that they were unable to invite foreign citizens to conduct religious activities. In January 2006, Belarus rejected the finding by the Human Rights Committee that there had been a violation of the Krishna devotees' freedom of religion (see CCPR/C/84/D/1207/2003 of 23 August 2005). In August, the State Committee for Religious Affairs denied the Full Gospel Union permission to invite a Nigerian pastor to preach in three of its churches on the grounds that the visit was "not expedient".

31. In 2006, the work permit of United States citizen Stewart Vinograd, pastor of the Minsk-based Messianic Jewish congregation, was not renewed. Twelve Polish Catholic priests and nuns were also informed that their visas would not be renewed at the end of the year.

32. In October, parishioners of the New Life church rallied to protest its possible closure by authorities who ordered the congregation to vacate the building it had bought and sell it to the Government at a nominal price. The parishioners started a hunger strike.

33. The same month, the Baranovichi Municipal Court sentenced the Pentecostal Church to pay fines for conducting religious activities without State permission.

34. On 1 December 2006, Catholic parishioners of Our Lady of Vostraja Brama started a hunger strike demanding that the Executive Committee of Grodno overturn the decade-long refusal to allow them to build a new church. On 6 December, their demand was agreed to by the City Council.

**U.S. Department of State country report on human rights practices,
2007 of March, 11, 2008 (Section 2: Respect for civil liberties
including freedoms of assembly, association and religion)**

b. Freedom of Peaceful Assembly and Association

Freedom of Assembly

The law provides for freedom of peaceful assembly; however, the government severely restricted this right in practice. Only political parties, trade unions, or registered organizations may request permission for a demonstration of more than 1,000 persons. Police and other security officials beat and detained demonstrators following unsanctioned but otherwise peaceful demonstrations.

By law organizers must apply at least 15 days in advance for permission to conduct a demonstration, rally, or meeting. Government officials must respond no later than five days prior to the scheduled event. However, authorities either did not grant permits to opposition groups or granted them only for demonstrations in out-of-the-way locations. Moreover, authorities used intimidation and threats to discourage people from participating in demonstrations, regularly issued heavy fines or jail sentences for participating in demonstrations for which they had refused permission, and took other measures to restrict the ability of prodemocracy and civil society groups to meet.

On March 19, authorities in Minsk denied civil society activists permission to rally in October Square to commemorate the March 25 Freedom Day anniversary. As activists rallied, police used city buses to obscure the demonstration and drowned out speakers with loudspeakers broadcasting police warnings about demonstrating in unauthorized locations. Elsewhere in Minsk, police forcibly dispersed 300 activists who attempted to gather in October Square in spite of the ban.

On September 25, authorities in Brest denied local opposition activists permission to hold a series of rallies near residential areas to protest the government's abolition of social benefits. Nationwide, out of 450 applications, authorities approved only three permits for demonstrations to protest the benefit cuts. In many cases authorities violated the law by failing to respond at least five days before the planned demonstrations or by failing to give a reason for denying the permits. During the year demonstrations in Minsk varied in size from a few participants to approximately 5,000 persons. Authorities maintained strict surveillance of all demonstrations, and police and plainclothes officers openly videotaped participants.

Police also used preemptive arrests to combat protests. According to the local human rights NGO Vyasna, authorities detained at least 45 activists on charges of

public obscenity or petty hooliganism in the run up to the opposition's annual March 25 Freedom Day demonstration.

For example, on March 13, police arrested human rights defender Vyacheslav Sivchik and opposition party leader Vintsuk Vyachorka for allegedly swearing and urinating in public. They were found guilty on April 4 but were released without punishment.

In the run-up to the July 27 anniversary of the country's independence from the Soviet Union, authorities detained or arrested more than 60 activists. On July 23, police arrested activists and opposition party leaders Pavel Severinets and Aleksey Shein; they were sentenced the next day to 15 days in jail for organizing unsanctioned demonstrations.

On December 12, authorities forcibly dispersed a peaceful pro-Belarusian sovereignty demonstration on the eve of Russian President Putin's visit to Belarus. Chanting "Long live Belarus," up to 50 opposition activists converged on Minsk's October Square with European Union and traditional Belarusian flags.

Approximately 100 uniformed riot police violently shoved the demonstrators, and several bystanders who voiced support for the demonstrators, off the square. During the crackdown, police severely beat opposition youth leader Dmitriy Fedaruk, who was hospitalized with serious head injuries.

As in previous years, the government failed to protect demonstrators from violence and used unrestrained or indiscriminate tactics to disband demonstrations. According to credible sources, in some instances, the government encouraged and coordinated with progovernment groups to instigate violence at opposition demonstrations. For example, at the November 4 "Social March," about 50 members of the progovernment skinhead group Belaya Volya (White Will) attacked opposition demonstrators who were peacefully protesting the government's reduction of benefits to students, retirees, and children. Despite the numerous security officials filming the march, no arrests were made. State television later used this video footage in an attempt to discredit the demonstrators.

In March 2006 up to 12,000 persons gathered on and around October Square to protest the fraudulent outcome of the presidential election. Security forces arrested approximately 250 persons and transported them to Okrestina jail. Most received five to 15-day jail sentences for participating in unauthorized demonstrations. On March 25, after approximately 7,000 persons attempted to gather in October Square to protest the crackdown and to celebrate the anniversary of Freedom Day, riot police forcibly prevented demonstrators from entering the square. They used smoke and stun grenades to break up the rally, which was led by opposition leaders Aleksandr Milinkevich and Aleksandr

Kozulin. Kozulin was arrested together with at least 100 people and brutally beaten by police.

Freedom of Association

The law provides for freedom of association; however, the authorities severely restricted it in practice.

The government enforced an elaborate system of laws and strict registration regulations to restrict formation of associations that might be critical of the government or immune to manipulation by the authorities. All NGOs, political parties, and trade unions must register with the Ministry of Justice. It is illegal to act on behalf of an unregistered organization.

The government's registration procedures were costly and onerous, requiring applicants to provide the number and names of founders, along with a legal address in a nonresidential building. Individuals listed as members are vulnerable to retribution. The government's refusal to rent office space to unapproved organizations and the expense of renting private space forced most organizations to violate the nonresidential address requirement, which allowed the authorities to deregister existing organizations and deny registration of new ones.

On July 21, the Justice Ministry denied registration to the civil society NGO For Freedom led by former opposition presidential candidate Aleksandr Milinkevich on grounds of improper payment of registration fees and irregularities in the organization's charter. On September 21, the Supreme Court rejected Milinkevich's appeal to overturn the denial. On December 18, the Supreme Court rejected a second appeal on the grounds that the organization's founding conference violated the country's mass events law.

On August 17, a Minsk appeals court refused to overturn a lower-court ruling denying registration of the opposition youth group Malady Front on grounds that it might participate in upcoming parliamentary elections and cause "political destabilization." Over the past decade, authorities denied Malady Front registration six times. During the year, eight Malady Front members were convicted of participating in an unregistered organization.

On September 25, the Minsk City Court issued a temporary injunction against the Justice Ministry's order to liquidate the civil-society NGO Supalnasts, one of the oldest prodemocracy NGOs in the country. In July the ministry moved to close Supalnasts because of its alleged activities with the Belarusian Association of Democratic NGOs. The case remained pending at year's end.

On October 26, the Supreme Court denied a registration appeal by the human rights NGO Vyasna. The justice ministry had refused to register the NGO because its name is identical to an organization the Supreme Court liquidated in 2003; its

application contained misspelled names, and because its "vague" charter implies the opportunity for the NGO to engage in activities that are not stated in the charter.

During the year the Ministry of Justice again reported that it continued to issue written warnings to NGOs, political parties, and trade unions, and that the courts continued to suspend or deregister NGOs and political parties for "systematic or severe violations of the law." Harassment in the form of inspections by security officials and confiscation of political literature, usually without warrants, was widespread.

A government commission reviews and approves all registration applications. During the year it continued to base its decisions largely on the political and ideological compatibility of the applicant with the government's authoritarian philosophy. For example, one of only a few remaining nationally registered human rights organizations, the Belarusian Helsinki Committee, remained under threat of closure for alleged tax violations.

c. Freedom of Religion

The law provides for freedom of religion; however, the government restricted this right in practice. While the constitution affirms the equality of religions and denominations, it also contains restrictive language, stipulating that cooperation between the state and religious organizations "is regulated with regard for their influence on the formation of spiritual, cultural, and country traditions of the Belarusian people."

The government continued to use the restrictive provisions of the law on religion to hinder or prevent activities of groups other than the Belarusian Orthodox Church. In particular the law restricts the ability of religious organizations to provide religious education, requires governmental approval to distribute literature, and prohibits foreigners from leading religious organizations. A concordat and other arrangements with the government provide the Belarusian Orthodox Church, which is a branch of the Russian Orthodox Church and the only officially recognized Orthodox denomination, privileges not enjoyed by other religious groups.

Despite the Orthodox Church's favored status, the government warned church leaders about its "excessive influence." In December 2006 President Lukashenko met with church bishops to explain his "pragmatic" approach to the church after it complained about an article in a state newspaper that warned citizens about church teachings that weaken state ideology.

The law requires that religious organizations register with the Office of the Plenipotentiary Representative for Religious and Nationalities Affairs of the Council of Ministers (OPRRNA) or with local and regional governments. During

the year the OPRRNA refused to register some nontraditional religious groups, making their meetings illegal. As of January 1, the OPRRNA reported that 25 religious denominations with 3,103 religious organizations were officially registered.

The OPRRNA continued to deny registration to what it considered nontraditional faiths, mainly Protestant groups, such as the New Life Church and the Belarusian Evangelical Church. Most Christian communities campaigned for amendments to the country's 2002 religion law that severely suppresses freedom of religion by restricting their activities and legalizing criminal prosecution of individuals for their religious beliefs.

On April 22, Christian communities, including Protestants and Catholics, some Orthodox priests, and the unregistered Belarusian Christian Democracy movement, launched a petition campaign calling for the repeal of the 2002 religion law. On May 8, the Belarusian Orthodox Church, which receives funding and other benefits from the government, urged believers not to sign the petition, claiming that the law helps maintain peace and stability in the country. At year's end the campaign reported collecting over 40,000 of the 50,000 signatures needed to initiate change.

According to government regulations, residential property can only be used for religious services if it has been officially converted from residential use. Thus, all religious organizations must reregister their properties. However, authorities continued to reject reregistration requests from many Protestant churches and other nontraditional faiths. As a result, the groups often were forced to meet illegally or in the homes of individual members.

The government continued to deny registration to the Minsk-based Hare Krishna community. The group was forced out of its office in a vehicle service station following an inspection in December 2006 by government authorities. The inspectors, however, allowed all other tenants to remain. The Minsk and Bobruysk Hare Krishna communities had searched for a legal address since being denied registration in 2004. They attempted to register at the service station, but authorities denied the application.

In December 2006 authorities issued a written warning to Pastor Nikolay Borichevskiy of the Grace of Jesus Church in Krupki village for violating residence permit regulations. When Borichevskiy asked why he received the warning, officials responded that his repeated criticism of the government drew their attention. The government continued to limit the ability of groups to own or use property for religious purposes. For example, the case involving registration of the New Life Church in Minsk remained unresolved at year's end. The church faced closure because authorities refused to register it at a barn it owned and wished to use for worship; its unregistered status made all its activities illegal. In July 2006 the Minsk City Economic Court ordered the group to vacate the barn

and to sell the property to the city at a price far below market value. At year's end the Supreme Economic Court has indefinitely postponed the group's appeal. The law allows persons to gather in private homes to pray but requires that individuals obtain permission from local authorities to hold rituals, rites, or ceremonies in homes. Police interfered with religious meetings in residences several times during the year, and sometimes arrested and fined participants. Baptists, Pentecostals, and other Protestants were warned or fined for illegally conducting religious services based on charges of disturbing public order or illegally gathering without prior permission. On April 11, authorities issued an official warning to Sergey Nesterovich of the unregistered God's Transfiguration Brotherhood for regularly conducting illegal religious meetings in his apartment and collecting donations. In March the BKGB raided his apartment during a prayer meeting, confiscated written materials, and questioned attendees.

On May 27, police officers arrested Antony Bokun, a pastor of the registered St. John the Baptist Church. On May 28, a court convicted him of conducting an illegal service and fined him \$290 (622,050 Belarusian rubles). On June 4, a Minsk district court judge sentenced Bokun to three days in prison for leading an unauthorized religious service in his home.

On August 24, a Baptist pastor in Brest, Viktor Orekhov, was fined \$60 (128,700 Belarusian rubles) for organizing a church summer camp at a private farm. Authorities accused him of leading an unregistered religious organization and educating children illegally. Two months earlier, in June police interrogated the children and threatened to close the camp. There were credible reports that local authorities and school teachers threatened students who attended Baptist Sunday schools and intimidated their parents.

On October 26, a district judge fined Baptist pastor Gennady Ryzhkov \$115 (248,000 Belarusian rubles) for leading religious services of an unregistered Evangelical Christian Baptist church in Osipovichy.

On December 14, a Baranovichy district court judge fined Baptist pastor Dmitriy Osyko \$65 (140,000 Belarusian rubles) for leading an unregistered religious organization, and Stepan Paripa and Nikolay Pestak \$160 each (350,000 Belarusian rubles) for providing residential premises for illegal services. There also were credible reports of government interference with religious travel. On January 3, the Belarus-based Christian Human Rights House reported that authorities stopped and searched a bus carrying approximately 40 young Catholics and Protestants at the Belarus-Poland border for about five hours. The group was returning to Belarus after a pilgrimage to Croatia.

The law allows citizens to speak freely about their religious beliefs; however, authorities continued their efforts to prevent, interfere with, or punish persons who proselytized for any religious group other than the Belarusian Orthodox Church.

For example, the government continued to harass and fine Hare Krishnas for illegally distributing religious literature. In January authorities confiscated 14 books and fined a member \$15 (32,000 Belarusian rubles) for illegally distributing religious material.

On July 3, Minsk police raided an apartment and arrested activists Denis Sadovskiy and Tatyana Usinovich and four others for organizing a signature campaign to change the country's restrictions on religious freedom. Although authorities released the activists without charges several hours later, they confiscated several religious books and campaign leaflets.

The government did not permit foreign missionaries to engage in religious activities outside of their host institutions. The law requires one-year, multiple-entry "spiritual activities" visas for foreign missionaries. Observers expressed concern that lack of standardized government guidance on implementing visa laws could affect the ability of missionaries to live and work in the country. The law also prohibits the establishment of offices by foreign organizations whose activities incite "national, religious, and racial enmity" or could "have negative effects on the physical and mental health of the people." On May 30, authorities fined Polish citizen Yaroslav Lukasik, an unofficial pastor of the St. John the Baptist Church, \$14 (31,000 Belarusian rubles) for conducting unauthorized religious services at a fellow pastor's home; he was subsequently deported for "repeated violations of laws regulating the presence of foreigners." On December 23, Polish citizen Grzegorz Chudek, who led the Holy Trinity Catholic parish in Rechytsa for 14 years, was forced to leave the country. Local authorities denied him registration over failure "to have a dialogue" with them. They also accused him of defaming Rechytsa in an interview with a Polish magazine and called departure "Chudek's personal problem."

Foreign citizens officially in the country for nonreligious work can be reprimanded or expelled if they participate in religious activities.

On March 14, authorities deported a Protestant U.S. citizen humanitarian aid worker, claiming he was involved in activities "aimed at causing damage to national security." Also in March authorities refused to renew a U.S. citizen's humanitarian-work visa, forcing him to leave the country. Authorities had questioned him after he addressed a Bible college graduation ceremony in May 2006.

In June judges in Mogilyov reversed an order to deport seven U.S. citizens, who were banned from the country for two years on charges of illegal teaching and illegal religious activities. Authorities claimed the seven had failed to obtain prior permission from the Ministry of Education before teaching English at a house of worship.

In October 2006 authorities refused to renew visas for 12 Polish Catholic nuns and priests who had been working in the Grodno region for more than 10 years, citing the need to provide local graduates of the Catholic seminaries with jobs. On September 19, Deputy Prime Minister Kosinets ordered that foreign clergy in Belarus would be replaced with graduates of local religious schools within seven years. He cited foreigners' lack of local language skills and unfamiliarity with the "traditions and mentality of Belarusians" to justify the policy.

The law does not provide for the return of property seized during the Nazi occupation or the Soviet period and restricts the return of property being used for cultural or educational purposes. However, in July 2006 authorities returned the Holy Trinity Church in Minsk to the Roman Catholic Church. During the year the government also permitted the St. Pokrovsky Orthodox Cathedral use of a building in Grodno and granted the St. John the Baptist community a plot of land and permission to build a church in Minsk.

On December 6, Roman Catholic Church Archbishop Tadeusz Kondrusiewicz told the media about the talks with the Minsk city authorities to return the former Bernardine monastery and church to the St. Joseph Catholic parish in Minsk. On August 28, Minsk city authorities informed the parish of the suspension of conversion of the monastery into a hotel. More than 30,000 believers signed a petition urging return of the buildings, but no decision had been made by year's end.

International Religious Freedom Report 2007: Released by the Bureau of Democracy, Human Rights, and Labor

The Constitution provides for freedom of religion; however, the Government restricted this right in practice.

Respect for religious freedom worsened during the period covered by this report. The Government continued to restrict religious freedom in accordance with the provisions of a 2002 law on religion and a 2003 concordat with the Belarusian Orthodox Church (BOC), a branch of the Russian Orthodox Church (ROC) and the only officially recognized Orthodox denomination. Although there is no state religion, the concordat grants the BOC privileged status. Protestants in particular attracted negative attention, presumably for their perceived links with the United States. Numerous anti-Semitic acts and attacks on religious monuments, buildings, and cemeteries occurred with little discernable response from the Government. Authorities kept many religious communities waiting as long as several years for decisions about property registration or restitution. Authorities also harassed and fined members of certain religious groups, especially those that the authorities appeared to regard as bearers of foreign cultural influence or as having a political agenda. Foreign missionaries, clergy, and humanitarian workers affiliated with churches faced many government-imposed obstacles, including deportation and visa refusal or cancellation.

While some members of society took positive actions to promote religious freedom, instances of societal abuses and discrimination occurred, including numerous acts of vandalism and arson of religious sites, buildings, and memorials.

The U.S. Government raises religious freedom issues with the Government as part of its overall policy to promote human rights; however, officials repeatedly turned down U.S. Government representatives' requests for meetings to discuss possible infringements.

Section I. Religious Demography

The country has an area of 80,154 square miles and a population of 9,700,000. Historically it has been an area of both interaction and conflict between Belarusian Orthodoxy and Roman Catholicism, although relations between the two groups improved during the period covered by this report. January 2007 figures from the Office of the Plenipotentiary Representative for Religious and Nationality Affairs (OPRRNA) showed that approximately 50 percent of Belarusians consider themselves religious. The Government claimed that of persons professing a religious faith, approximately 80 percent belong to the BOC, 14 percent identify themselves with the Catholic Church, 4 percent are members of eastern religious groups (including Muslims, Hare Krishnas, and Baha'i), and 2 percent are Protestant (including Seventh-day Adventists, Old Believers,

Jehovah's Witnesses, Apostolic Christians, and Lutherans). Of those who identify themselves as Belarusian Orthodox or Roman Catholic, only 18 percent and 50 percent, respectively, regularly attend religious services. There are also adherents of the Greek Catholic Church and of Orthodox groups other than the BOC. Jewish groups claimed that between 50,000 and 70,000 persons identify themselves as Jewish. Most Jews were not religiously active.

In January 2007 OPRRNA reported 3,103 religious organizations of 25 religious confessions and denominations in the country, including 2,953 registered religious communities and 150 national and confessional organizations (monasteries, brotherhoods, missionaries, etc.). This included 1,399 Belarusian Orthodox, 493 Evangelical Christian, 440 Roman Catholic, 267 Evangelical Christian Baptist, 74 Seventh-day Adventist, 54 Full Gospel Christians, 33 Old Believer, 29 Jewish, 27 Lutheran, 26 Jehovah's Witness, 24 Muslim, 21 New Apostolic Church, 17 Progressive Judaism, 13 Greek Catholic, 9 Apostolic Christians, 6 Hare Krishnas, 5 Baha'i, 5 Christ's Church, 4 Mormon, 2 Messianic, 1 Reform Church, 1 Presbyterian, 1 Armenian Apostolic, 1 Latin Catholic, and 1 St. Jogan Church communities.

Foreign clergy and missionaries attempted to operate in the country but were subject to deportation and visa refusal or cancellation.

Section II. Status of Freedom of Religion

Legal/Policy Framework

The Constitution provides for freedom of religion; however, the Government restricted this right in practice. Although the 1996 amended Constitution affirms the equality of religions and denominations before the law, it also contains restrictive language stipulating that cooperation between the state and religious organizations "is regulated with regard for their influence on the formation of spiritual, cultural, and state traditions of the Belarusian people." OPRRNA regulates all religious matters.

In 2002 President Lukashenko signed a religion law despite protests from human rights organizations, the European Union, and domestic religious groups. The law recognizes the "determining role of the Orthodox Church in the historical formation and development of spiritual, cultural, and state traditions of the Belarusian people" as well as the historical importance of Catholicism, Judaism, Islam, and Evangelical Lutheranism, groups commonly referred to as "traditional faiths." However, the traditional faiths mentioned by the law do not include religious groups such as the Priestless Old Believers and Calvinist churches, which have historical roots in the country dating to the 17th century. Despite the law's guarantee of religious freedom, it contains a number of restrictive elements that increase the Government's control of the activities of religious groups. The law requires all religious groups to receive prior

governmental approval to import and distribute literature, prevents foreigners from leading religious organizations, and denies religious communities the right to establish schools to train their own clergy. In addition, the law confines the activity of religious communities to areas where they are registered and establishes complex registration requirements that some communities, both "traditional" and "nontraditional," have difficulty fulfilling. The law also required all previously registered groups to reregister by 2004 and bans all religious activity by unregistered groups.

The religion law establishes three tiers of religious groups: religious communities, religious associations, and republican religious associations. Religious communities, or local individual religious organizations, must include at least 20 persons over the age of 18 who live in neighboring areas. Religious associations must include at least 10 religious communities, one of which must have been active in the country for at least 20 years, and may be constituted only by a republican (national level) religious association. Republican religious associations can be formed only when there are active religious communities in the majority of the country's six regions.

A religious community must submit a list of its founders' names, places of residence, citizenship, and signatures, along with copies of its founding statutes, minutes of its founding meeting, and permission from the regional authorities confirming the community's right to occupy or use any property indicated in its founding statutes. Regional executive committees (for groups outside of Minsk) or the Minsk City Executive Committee handle all registration applications. For a community practicing a religion not previously "known" to the Government, information about the faith must also be submitted. No previously "unknown" religious communities were registered during the reporting period.

A religious association must provide a list of members of the managing body with biographical information, proof of permission for the association to be at its designated location, and minutes from its founding congress. Religious associations have the exclusive right to establish religious educational institutions, invite foreigners to work with religious groups, and organize cloistered and monastic communities. All applications to establish associations and republican associations must be submitted to OPRRNA. The Government registered five republican religious organizations during the reporting period. Domestic religious groups continued to call for revocation of at least part of the 2002 law. Christian communities maintained that the law heavily restricts their activities, suppresses freedom of religion, and legalizes criminal prosecution of individuals for their religious beliefs.

The 2003 concordat between the BOC and the Government guarantees the BOC autonomy in its internal affairs, freedom to perform religious rites and other activities, and a special relationship with the state. The concordat recognizes the BOC's "influence on the formation of spiritual, cultural, and national traditions of

the Belarusian people." It calls for the Government and the BOC to cooperate in implementing policy in various fields, including education, development and protection of cultural legacies, and security. Although it states that the agreement would not limit the religious freedoms of other religious groups, the concordat calls for the Government and the BOC to combat unnamed "pseudoreligious structures that present a danger to individuals and society." In addition, the BOC possesses the exclusive right to use the word "Orthodox" in its title and to use the image of the Cross of Euphrosynia, the patron saint of the country, as its symbol. On January 8, 2007, President Lukashenko honored several BOC members with "For Spiritual Revival" awards in recognition of their efforts to develop "moral traditions which contribute to the spiritual values...between various nationalities and religions." In a meeting with BOC bishops on December 21, 2006, President Lukashenko praised the cooperation between the Government and the BOC and stressed their common goals of civil accord and national unity. The President also noted the Government's assistance to the BOC: in 2006 the Government funded \$3 million (6.4 billion rubles) in BOC projects.

Restrictions on Religious Freedom

The Government restricted religious freedom both actively and indirectly. The Government enforced laws that limit freedom of worship, speech, and assembly. The Government was sometimes responsible for and regularly failed to condemn acts of religious insensitivity or intolerance. The Government frequently referred to groups it did not consider to be traditional as "nontraditional," and government officials and state media widely used the term "sect" when referring to such groups, although it is not an official designation. Foreign missionaries, clergy, and charity workers faced increased government obstacles, including deportation and visa refusal or revocation. With or without official registration, some religious groups encountered difficulty renting or purchasing property to establish places of worship, building churches, or reacquiring state-controlled religious property. Forum 18 reported that the BOC and government officials pressured the parishioners of the unregistered Russian Orthodox Church Abroad (ROCA), which split from the BOC in 1927, to withdraw their names from the ROCA's registration application. If even 1 of the 20 signatories of the application were to withdraw his or her name, ROCA would be forced to start the process again. ROCA stated that from August to October 2006, two Moscow Patriarchate priests threatened to withhold sacraments from the parishioners if they continued supporting the "illegal and uncanonical sect." ROCA claimed that the two priests received the parishioners' names from local authorities.

On September 14, 2006, Pastor Sergei Heil, chair of the unregistered Independent Evangelical-Lutheran Church in the Republic of Belarus, reported that the Government refused to register it as a republic-wide association. The Church has tried since October 2004 to register as an association and held four founding sessions in Bobruysk to comply with the registration requirements. OPRRNA maintained that there were "technical errors" in its application.

Many "traditional" and "nontraditional" religious groups continued to experience problems obtaining property or registering property, particularly when attempting to convert residential property for religious use. According to the Government, the law permits residential property to be used for religious services only after it has been converted from residential use. The housing code permits the use of such property for nonresidential purposes with the permission of local executive and administrative bodies. As a result, several Protestant churches and "nontraditional" groups were at an impasse: denied permission to convert their properties for religious use because they were not registered, but unable to register due to the lack of a legal address. Such groups often were forced to meet illegally or in the homes of individual members.

On March 22, 2007, the Supreme Economic Court adjourned indefinitely a case involving the New Life Church in Minsk. The New Life Church faced closure because authorities refused to register it at the cow barn it owned and wished to use for worship; its unregistered status made all its activities illegal. To protest a July 24, 2006, order by the Minsk City Economic Court to sell the church building to the city at a price far below market value and to vacate the premises by October 8, 2006, New Life Church members and sympathizers began a 23-day hunger strike, which prompted the authorities to review their decision. With the permission of Minsk local authorities, approximately 700 New Life Church parishioners and supporters rallied on Bangalore Square on October 21, 2006, to protest the forced sale. The case remained under consideration at the end of the reporting period.

On December 6, 2006, Grodno authorities granted permission for the Blessed Virgin Mary Mother of Mercy Roman Catholic community to build a church for its 8,000-member parish, which had been worshipping in a small wooden house that could accommodate only 300 persons. Twelve members of the church had launched a hunger strike on December 1, 2006, and continued it until authorities agreed to their request. The community first applied for permission to build a church in 1998.

On December 4, 2006, the Minsk Community of Krishna Consciousness (the Hare Krishnas) was forced out of its office in a vehicle service station following an inspection by the sanitary and emergency management authorities. The inspectors, however, allowed all other tenants to remain. The Minsk and Bobruysk Hare Krishna communities had searched for a legal address since being denied registration in 2004. They had attempted to register at the vehicle service station, but in November 2006 authorities denied the application.

On July 15, 2006, the Supreme Court rejected the appeal of Pastor Georgiy Vyazovskiy against the closure of his Christ Covenant Reformed Baptist Church. The Minsk City Court closed the church in May 2006 because the congregation had attempted to register at a residential building in violation of the law's mandate that all religious groups be registered at a "legal" address.

A government decree specifies measures to ensure public order and safety during general public gatherings. Some meeting hall officials cited the decree as a basis for canceling or refusing to extend agreements with religious groups for the use of their facilities. During the reporting period it remained difficult, particularly for unregistered groups, to rent a public facility. Protestant communities suffered most from this decree, since they were less likely to own their own property and needed to rent public space when their members were too numerous to meet in private homes.

On June 25, 2007, the Minsk Tsentralniy District informed John the Baptist Church that it could not rent space at the state Trade Unions House, allegedly due to scheduling conflicts.

Between February 2006 and the end of the reporting period, the charismatic Living Word Church in Grodno tried at least seven times to rent meeting space, but state proprietors refused each attempt.

On December 28, 2006, State Ideology Officer Oleg Bobryk interrupted without explanation a seminar on family relationships held by a Protestant preacher at the Volozhyn Palace of Culture. Volozhyn authorities dismissed 15 Palace of Culture employees that same day. Vefil Evangelical Christian Baptist Pastor Sergey Yasku alleged the dismissals were an attempt by government officials to "eliminate any cooperation of evangelical Christians with public organizations." The Government restricted peaceful assembly for religious activities during the reporting period. On June 4, 2007, the Minsk City Executive Committee denied permission for the unregistered Belarus Christian Democracy party (BCD) to stage a June 8 rally protesting authorities' crackdown on freedom of conscience on Freedom Square. In April 2007 authorities similarly denied the BCD permission to stage a rally in support of religious freedom.

There were credible reports that local authorities and teachers sought to identify which children attended Baptist Sunday school. According to Forum 18, Baptist pastor Gennady Brutskiy alleged that children identified as having attended Baptist Sunday school were threatened by the head teacher. Similarly, Pastor Yasku claimed State Ideology Officer Bobryk demanded that teachers find out whether their students attended Protestant Sunday school. If children attended such a school, the teachers had to "have a talk" with their parents.

During the reporting period, the Government monitored peaceful minority religious groups, especially those perceived as "foreign" or "cults." Credible sources reported that state security officers often attended Protestant services to conduct surveillance.

Approval for visits by foreign religious workers often involved a lengthy bureaucratic process. The law requires 1-year, multiple-entry "spiritual activities" visas for foreign missionaries and clergy. An organization inviting foreign clergy

must make a written request to OPRRNA, including the proposed dates and reason for the requested visit. Even if the visit is for nonreligious purposes such as charitable activities, representatives must obtain a visa and permission from OPRRNA. OPRRNA has 20 days in which to respond, and there is no provision for appeal of its decision.

Observers expressed concern that lack of uniform government guidance on implementation of February 2006 changes to visa laws affected the ability of missionaries to live and work in the country. Authorities frequently questioned foreign missionaries and humanitarian workers and the local citizens who worked with them about the sources and use of their funding. There were also credible reports that these foreign workers were followed and surveilled by security personnel.

According to Forum 18, in September 2006 authorities refused Israeli citizen Rabbi Boruch Lamdan permission to conduct religious activity due to his alleged "illegal commercial activity," although he was allowed to remain in the country. Rabbi Lamdan denied the allegations, stating that the refusal stemmed from his late tax payments on charitable donations that were sent to him personally. Lamdan departed the country in June 2007 after the Government did not renew his religious visa.

In July 2006 authorities denied permission for the unregistered Full Gospel Union to invite Nigerian pastor Anselm Madubuko to preach at three New Generation member churches. The authorities claimed that the group had "no basis" to invite him since it is unregistered and noted that they considered Madubuko's visit "inexpedient" given the New Generation's alleged "violation of Belarusian law." The Government does not permit foreign missionaries to engage in religious activity outside of their host institutions. Transferring between religious organizations, including parishes, requires prior state permission. For example, on October 13, 2006, authorities fined Polish citizen and Catholic priest Antoni Koczko \$29 (62,000 rubles) for conducting an "unauthorized" religious service in Minsk, since he had been assigned to a church in Slutsk.

Internal affairs agencies may compel the departure of foreign clergy by denying registrations and stay permits. Authorities may act independently or based on recommendations from other government entities.

In spring 2007 the founder/pastor of the Minsk-based New Testament Church and pastor of its Messianic Jewish congregation, an American citizen who had worked in the country for 10 years, was forced to leave the country. Authorities had refused to renew his work permit in spring 2006. In October 2006 authorities refused to renew visas for 12 Polish Catholic nuns and priests from the Grodno region who had been working in the country for more than 10 years, citing the need to provide local graduates of the Catholic seminaries with jobs. Despite

hunger strikes, petitions, and protests by the Catholic community, the priests and nuns were told to leave the country by December 31, 2006.

Legislation prohibits "subversive activities" by foreign organizations and the establishment of offices by foreign organizations whose activities incite "national, religious, and racial enmity" or could "have negative effects on the physical and mental health of the people." On May 30, 2007, authorities fined Polish citizen Yaroslav Lukasik, an unofficial pastor of the John the Baptist Church, \$15 (31,000 rubles) for conducting unauthorized religious services at a fellow pastor's home on May 27. At the same time, they issued him deportation papers for "repeated violations of the regime governing the presence of foreigners," ordered him to leave the country by June 7, and barred him from reentry for 5 years. Lukasik denied the charges, stating that he had attended, not conducted, religious services on May 27. On May 8, 2007, authorities canceled Lukasik's residency permit due to his alleged involvement in "activities aimed at causing damage to the national security." Lukasik appealed the fine and the deportation order to the local court, but the court denied the appeals on June 20 and June 27, respectively. Lukasik is married to a local citizen and has three local citizen children. Independent media reported that his family also appealed to a higher court in Minsk; however, authorities alleged that the papers related to the case were "lost" and could not be found before the statute of limitations for the appeal expired. Foreign citizens officially in the country for nonreligious work can be reprimanded or expelled if they participate in religious activities.

On June 21, 2007, a Mogilyov judge overturned penalties involving seven U.S. citizens due to technical errors and sent the case back for a retrial. On February 16, 2007, the Government had deported the seven and banned them from the country for 2 years for two separate counts of illegal teaching and illegal religious activities. On February 13, the police charged the group with violating article 185 of the administrative code, "Violation of Rules of Foreign Citizens' Stay in Belarus" and fined them \$15 (32,000 rubles) each for engaging in activities incompatible with the terms of their visas; according to the Government, the seven failed to obtain prior permission from the Education Ministry before they began teaching English at a house of worship in Mogilyov. The charges stemmed from a February 9 police raid on a church building; the results of the retrial were pending at the end of the reporting period.

On March 14, 2007, authorities canceled the residency permit of a U.S. Protestant humanitarian aid worker and deported him. Authorities claimed he was involved in activities "aimed at causing damage to national security" without explaining the alleged threat. The man had served as a charity worker and attended a Protestant church in Minsk.

Baptist Union representative Gennadiy Brutskiy reported that authorities questioned a U.S. citizen who held a humanitarian work visa after he addressed a

Bible college graduation ceremony in May 2006. In March 2007 authorities refused to renew the man's visa, forcing him to leave the country.

By law, citizens are not prohibited from proselytizing and may speak freely about their religious beliefs; however, in practice authorities often interfered with or punished some individuals who proselytized on behalf of registered or unregistered religious groups. Authorities regulated every aspect of proselytizing and literature distribution.

The Government continued to harass and fine Hare Krishnas for illegally distributing religious literature. In January 2007 authorities confiscated 14 books from a Hare Krishna and fined the person \$15 (32,000 rubles) for illegally distributing religious material.

On June 12, 2007, police removed a sign that read "I have the right to faith" from a bridge in downtown Minsk within 90 minutes of its placement there by opposition activists.

The Government continued to use textbooks that promoted religious intolerance, especially toward "nontraditional" faiths. Leaders of Protestant communities criticized language in the textbook Basics of Home and Personal Security as discriminatory against Protestants, particularly the chapter entitled "Beware of Sects." The chapter includes a paragraph informing students of such "sects" as Seventh-day Adventists, the Church of Maria, White Brotherhood, and Jehovah's Witnesses. The Ministry of Education continued to use the textbook Man, Society, and State, which labels Protestants and Hare Krishnas as "sects," even after protests by religious groups. The authorities promised to change the language in the next edition of the books; neither book was republished by the end of the period covered by this report.

During the reporting period, the Government took steps to "warn" the public of "new" groups and discouraged their growth. On June 15, 2007, the state newspaper Respublika published an article titled "New Crusaders" which compared contemporary Catholic missionary activities to the Crusades and characterized the involvement of Pope John Paul II in the fall of communism as a "devilish enterprise," alleging collaboration with the CIA. The Polish community in the country denounced the article and called for criminal charges against its author and the newspaper's editor. Respublika later issued an apology. On December 12, 2006, Respublika urged government authorities to treat "new" religions with extreme caution because they might lead to tragedy and pose threats to society. The author alleged that new religions, including Scientology, Kabbalah, and Buddhism, are syncretic and do not teach their followers "anything good."

On May 21, 2007, God's Grace Head Pastor Sergey Khomich received a letter from the state-controlled Lad television channel denying any wrongdoing in a May 12 broadcast in which a television host referred to the God's Grace

community as a "totalitarian and destructive sect." While broadcasting footage of a God's Grace prayer service and a conference, host Artyom Makhakeyev accused healers of swindling money out of sick people and warned that the wealthy "frequently become the focus of sects' attention."

On December 8, 2006, the Government informed the New Life Church that it would not initiate a case against state-controlled Capital TV (STV). On October 14 and 15, 2006, STV made slanderous allegations against the unregistered Protestant group in a report entitled "Strange Worshippers of a No Less Strange Religion." When STV would not retract its allegations, the New Life Church asked the authorities to open a criminal case against STV and to refute the station's allegations. The Government refused on the grounds that "there was no sign of any crime in their actions."

Despite the BOC's favored status, the Government also warned about the "excessive influence" of the BOC. President Lukashenko met with senior BOC bishops on December 21, 2006, to explain his "pragmatic" approach to the BOC after it complained about an article in a state newspaper by a presidential administration official that warned citizens against the BOC's influence and claimed that it weakens the impact of state ideology.

There were credible reports of government interference with religious travel. The Belarus-based Christian Human Rights House reported that on January 3, 2007, authorities stopped and searched a bus carrying approximately 40 young Catholics and Protestants at the Belarus-Poland border for approximately 5 hours. The group was returning to Belarus after a pilgrimage to Croatia.

On August 9, 2006, border guards took into custody and transported to Minsk 47 Baptist children and adults who were on a religious retreat at a private homestead in the western Grodno region for alleged violations of health and safety regulations. The previous day, local authorities had ordered the gathering to disperse and threatened to take the children to a police facility for juvenile delinquents and abandoned children. After their release, a senior Minsk religious affairs official publicly conceded that the retreat was legal since private individuals had organized the event. According to Forum 18, different government departments conducted up to four daily checks on a Baptist summer youth camp in the Brest region.

Limited restitution of religious property occurred during the reporting period. There is no legal basis for restitution of property seized during the Soviet and Nazi occupations, and the law restricts the restitution of property being used for cultural or educational purposes. The Government did not return buildings if it had nowhere to move the current occupants. For example, most of the Jewish community's past requests for the return of Minsk synagogues, which were in use as theaters, museums, sports complexes, and a beer hall, were refused. However,

during the reporting period Jewish communities did not request the return of buildings or other real estate.

On November 28, 2006, local authorities in Volozhyn threatened to rescind the Jewish community's rights to possess a restituted yeshiva building due to lack of renovation work. The Jewish community had started renovations on the yeshiva, which had been returned to the community in the 1990s, but ran out of funds before completing them. The authorities ultimately did not confiscate the 200-year old building after a U.S.-based committee pledged in May 2007 to raise funds to finance the renovation.

At the end of the reporting period, the St. Joseph Catholic community in Minsk continued a campaign for the Government to return former Bernardine church and monastery buildings, home to the state archives and slated to be converted into a hotel and entertainment center. The community has held regular prayer services at the site since first learning of reconstruction plans in 2004, but in March 2007 the Government announced new conversion plans, after which the community launched the petition drive. As of June 4, 2007, the petition had more than 10,000 signatures. Previously, the OPRRNA chairman said that since the Government did not have funds to construct new archive buildings, the church and monastery could not be handed back. On June 7, authorities prevented the community from gathering to pray, stating that they needed permission to assemble, but did not detain any worshippers. On June 16, approximately 90 persons gathered outside the church and lit candles while police watched.

Abuses of Religious Freedom

The Government continued to abuse the religious freedom of several religious groups. As in the past, the most common charge against religious leaders was organizing or hosting an unauthorized meeting, a charge that arises from a law circumscribing freedom of assembly.

The law allows persons to gather to pray in private homes; however, it imposes restrictions on holding rituals, rites, or ceremonies in such locations and requires prior permission from local authorities. During the reporting period, Protestant and non-BOC Orthodox communities were fined or warned for illegally conducting religious services, carrying out unsanctioned religious activities, or illegally gathering without prior government permission.

On June 26, 2007, the Minsk Central District Court rejected a complaint by Antony Bokun, pastor of the registered John the Baptist Church, that police mistreated him following his arrest earlier in the month. On June 4, 2007, a Minsk District Court Judge sentenced Bokun to 3 days in prison for organizing an unauthorized religious service in his home on June 3. On that day, 10 officials raided Bokun's home during church services and took him and Polish Protestant pastor Yaroslav Lukasik to a police station. The police released Lukasik after a

few hours but held Bokun overnight despite his cardiovascular condition. He became ill and needed medical attention. On June 27 and June 20, 2007, respectively, the Minsk City Court dismissed Bokun's appeals of a jail sentence and fine stemming from a separate incident. On May 28, the court had found Bokun guilty of conducting an illegal religious service and fined him \$290 (620,000 rubles). Police officers had arrested Bokun on May 27 after entering his house and videotaping the service.

On May 8, 2007, police detained and warned youth activist Ivan Shutko that his participation in the campaign to prevent the Roman Catholic monastery in Minsk from being transformed into a hotel and casino might result in "great problems." On April 11, 2007, authorities issued an official warning to Sergey Nesterovich of the unregistered God's Transfiguration Brotherhood for regularly conducting illegal religious meetings in his apartment and collecting funds. In March 2007 KGB secret police had conducted a 3-hour raid of Nesterovich's apartment during a prayer meeting. The police searched the apartment, confiscated written materials, and questioned and photographed the attendees. Nesterovich appealed the warning, but authorities denied the appeal.

In December 2006 authorities issued Pastor Nikolay Borichevskiy of the Grace of Jesus Church in Krupki village a written warning for violating residence permit regulations; he ignored the warning and remained in Krupki. When Borichevskiy asked what had brought on the charge, the officials responded that his repeated criticism of the regime drew their attention.

On August 30, 2006, Union of Evangelical Christians Salvation Church (UECSC) pastor Sergey Poznyakovich was fined \$2,170 (4.65 million rubles) for performing a baptism ceremony in a nearby lake. In July 2006 UECSC Bishop Nikolay Kurkayev was fined \$75 (160,000 rubles) for holding an unauthorized religious service. On July 28, 2006, authorities fined New Life Church Pastor Vyacheslav Goncharenko \$470 (1 million rubles) for having conducted an unsanctioned religious service earlier that month. During the previous reporting period, there were at least 13 reported instances of the Government imposing fines ranging from \$13 to \$2,600 (26,000 to 5.3 million rubles) for illegal religious activity.

Forced Religious Conversion

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

Anti-Semitism

The number of individual anti-Semitic incidents increased during the reporting period. Anti-Semitism is tolerated by the state. Anti-Semitic acts were only

sporadically investigated, and the Government allowed state enterprises to freely print and distribute anti-Semitic material.

Unlike in previous reporting periods, state-owned periodicals did not attack Jewish religious groups; however, the sale and distribution of anti-Semitic literature through state press distributors, government agencies, and stores affiliated with the BOC continued. During the reporting period, anti-Semitic and Russian ultranationalist newspapers and literature, DVDs, and videocassettes continued to be sold at Pravoslavnaya Kniga (Orthodox Bookstore), which sells Orthodox literature and religious paraphernalia. The store was part of the Khristianskaya Initsiativa company, whose general director often wrote xenophobic articles. The store continued to distribute the anti-Semitic and xenophobic newspaper Russkiy Vestnik despite a 2003 order by the Prosecutor General and the Ministry of Information to remove copies from the store. The official BOC website honors Gavril Belostokskiy, a young child allegedly murdered by Jews near Grodno in 1690, as one of its saints and martyrs. A memorial prayer to be said on the anniversary of his death alleges the "martyred and courageous" Gavril "exposed Jewish dishonesty." The book Demons on the Russian Land: Globalism as a Product of Evil, by Belarusian National Academy of Sciences (BNAS) researcher Valeriy Zelenevskiy, was also available at Pravoslavnaya Kniga. Published in Minsk at the end of 2006, the book contains numerous anti-Semitic statements, such as "the Jews still adhere to pro-slavery views." Since the state-run BNAS approved publishing of the book, Jewish leaders and human rights activists considered the book to be a reflection of certain segments of the regime's ideology.

Several Jewish religious sites were vandalized during the reporting period. On June 28, 2007, local Jewish leaders reported that four gravestones in a Jewish cemetery were knocked down by vandals in Mogilyov earlier in the week. Relatives of those buried in the graves appealed to the police, one of whom theorized that the heavy tombstones may have been knocked down by a wind storm, despite the fact that there were no strong storms around the time of the incident.

On May 9, 2007, vandals set fire to flowers laid at the monument to the victims of the Brest Jewish ghetto. Police opened a criminal case but did not identify any suspects. This was the eighth act of vandalism at the monument since it was erected in 1992 and the third during this reporting period. In February 2007 vandals desecrated the monument, but no suspects were identified. On November 29, 2006, an explosion occurred at the same monument. The blast caused minor damage to the memorial. The Jewish community protested the local authorities' refusal to open a criminal investigation into the November incident, which police described as petty hooliganism. According to a local Jewish community leader, police were still investigating the February incident at the end of the reporting period.

On May 4, 2007, vandals drew a picture of a Star of David hanging from a gallows on the foundation of a bridge in Brest. The graffiti was removed not long after it appeared and the local Jewish community did not file a report with the police.

On March 1, 2007, independent media reported that vandals removed part of a metal plaque attached to a monument built on the site of an old Jewish cemetery in remembrance of the killing of the Minsk ghetto Bremen Jews. Also in early March 2007, a bronze memorial plaque on a residential building in central Minsk placed in remembrance of the killing of the Bremen Jews disappeared. An unidentified man claimed to have found the plaque and returned it to the Jewish community following announcements that the German ambassador would pay a \$1,350 (2.9 million rubles) reward for the plaque's return. At the end of February 2007, vandals damaged the Star of David on a memorial plaque in Kurapaty honoring Jewish victims of Stalinism.

On May 3, 2007, police in Borisov opened a criminal case in connection with vandalism at the Jewish cemetery. Vandals had removed and damaged 16 tombstones at the end of April. The case remained open at the end of the reporting period; no suspects were identified.

In late February 2007, neo-Nazi activists attacked Larissa Shukailo, the head of the Mogilyov branch of the Belarusian Association for Victims of Political Repression. Two young persons threw a bottle at Shukailo, shouting "Get away to your Israel!" Shukailo filed a complaint with the authorities, but no suspects were identified by the end of the reporting period.

On November 12, 2006, vandals desecrated the Yama Holocaust memorial in central Minsk with white paint and swastikas. Despite a number of neo-Nazi anti-Semitic leaflets signed by the "Belaya Rus Aryan Resistance Front" found at the site, authorities dismissed the incident as a case of teenage hooliganism. The same day swastikas and "Beat the Jews!" graffiti were painted on the Israeli Information and Cultural Center. State-controlled STV's coverage of the vandal attacks referred to Jewish culture as "alien to Belarus." Despite government officials' promises to prosecute offenders, on March 16, 2007, police closed the criminal cases, citing lack of suspects.

In early October 2006, unidentified vandals damaged a concrete fence surrounding a Jewish cemetery and destroyed 10 tombstones in the northern city of Orsha; 17 gravestones were vandalized at a Christian cemetery. Police refused to open criminal cases, calling the acts minor civil offenses.

In September 2006 vandals damaged five graves in an old Jewish cemetery in the eastern village of Sverzhan. Police opened an investigation, but no suspects were identified by the end of the reporting period.

The Jewish community continued to express concern over the concept of a "greater Slavic union" popular among nationalist organizations active in the country, including the Russian National Union (RNU), which still existed despite being officially dissolved in 2000. Throughout the reporting period, Jewish leaders petitioned the authorities to investigate neo-Nazi activities, citing continued vandalism, anti-Semitic graffiti, and threats to civil society and religious congregations. Authorities responded with empathetic letters but did not open any criminal cases in connection with these complaints.

On August 10, 2006, independent newspaper Vitebskiy Kuryer received a letter from the neo-Nazi group RNU threatening to close the newspaper if it continued publishing articles discrediting the Belarusian president and his policies aimed at making "Slavonic nations superior in comparison with Jews." The letterhead contained the slogan "To clean Russia!" and a picture of a soldier holding a strangled man with the Star of David painted on his breast and U.S. dollars in his pocket. Law enforcement agencies did not investigate the threat, maintaining that since the RNU was not registered in the region, it was impossible to track down the letter's authors.

Improvements and Positive Developments in Respect for Religious Freedom
There were some positive developments in respect for religious freedom during the reporting period.

Authorities granted the St. John the Baptist Catholic Community permission to build a church in Minsk and gave the community a plot of land for the building. Construction began on June 15, 2007. This was the first Catholic church to be built in Minsk since the 1917 Revolution.

In 2007 authorities returned a building in Grodno to the St. Pokrovskiy Orthodox Cathedral.

In August 2006 civil society activists in Orsha managed to save the remains of an 18th-century church. The activists sent letters and petitions to local government officials protesting the construction of a detention center on the site. In early August construction was suspended, and on August 31 officials agreed to alter the project in an effort to prevent the construction from damaging the church's foundation.

On July 20, 2006, the Prosecutor's Office repealed a warning to preschool teacher Lyudmila Izakson-Bolotovskaya for the "illegal and deliberate dissemination of religious dogma to young children" following her appeal. In April 2006 authorities had issued an official warning to Izakson-Bolotovskaya after she and her children's Jewish musical group were shown on local television celebrating a Jewish holiday at a state-run kindergarten. Authorities had claimed that she violated the law by holding a religious celebration in a government building and illegally propagated Judaism. Izakson-Bolotovskaya maintained that this was a

cultural event for nonreligious educational purposes. The authorities forced Izakson-Bolotovskaya to remove "Jewish symbols" from the classroom and threatened her with future prosecution if she continued such activities. The group reconvened in September 2006 to continue studying Jewish history and traditions. On July 5, 2006, President Lukashenko issued a directive to return the Holy Trinity Church (St. Roch Church) in Minsk and property inside to the Roman Catholic Church. For the previous 15 years, the church was used as the music hall for the Belarusian State Philharmonic Society.

Several religious memorials were unveiled during the reporting period. Although most were privately funded, local government officials participated in most dedication ceremonies.

Section III. Societal Abuses and Discrimination

While some members of society tried to promote religious freedom, societal abuses and discrimination based on religious beliefs occurred, and anti-Semitism and negative attitudes toward minority religious groups persisted.

As in previous years, unknown vandals destroyed crosses, both Orthodox and non-Orthodox, erected at Kurapaty, an area used by the People's Commissariat for Internal Affairs to murder more than 300,000 people in the 1930s. In April 2007 vandals attacked the Stalin-era massacre memorial site at Kurapaty, knocking over and breaking six crosses. No criminal investigation took place by the end of the reporting period.

On May 30, 2007, unidentified burglars broke into the St. George Church in Vardomichy, stealing five icons. This was the latest in a string of unsolved church burglaries that resulted in the theft of 16 icons from 3 different churches in 2007. Police did not report any breakthroughs in their investigations of these crimes, which they attributed to a ring of experienced criminals.

There were several incidents of arson during the reporting period. On March 27, 2007, vandals set fire to the Roman Catholic St. Michael Church in Mozyr and drew satanic graffiti on the exterior walls. Ten days earlier, vandals broke a sculpture, crosses, and a window at the church. On March 28, police arrested four members of the satanic group Bloody Moon; the suspects remained in jail, and the investigation was ongoing at the end of the reporting period.

On December 25, 2006, vandals set fire to the Orthodox St. George Church in Mozyr, completely destroying its roof and interior walls. The remaining external walls were covered with graffiti. This was the second time the church had been set on fire in 6 weeks; on November 13, vandals drew satanic symbols on the outside of the church and set it on fire. The four members of the Bloody Moon satanic group who were detained for vandalizing the St. Michael Church in Mozyr pled guilty to setting fire to the St. George Church. They remained in police custody and the investigation was ongoing at the end of the reporting period.

On July 13, 2006, there was a suspicious fire at the Roman Catholic St. Francis Xavier (Farny) Church in Grodno. The fire destroyed part of the main altar and four 18th-century sculptures. Police opened a criminal case, but no further information was available at the end of the reporting period.

Several cemeteries and burial grounds were attacked or damaged during the reporting period. On April 27, 2007, police charged a man with damaging historical property after five 10th- and 11th-century burial mounds were vandalized in Zaslavl on March 10 and 16, 2007. No further information was available by the end of the reporting period.

On February 13, 2007, police suspended a criminal investigation into a January 15, 2007, attack on a Muslim cemetery in Slonim that contains the graves of Russian Muslim soldiers killed in World War I due to failure to find suspects. Vandals overturned six gravestones, destroying two. This was the third attack on the cemetery since 1996.

Independent media reported that on November 20, 2006, unidentified vandals painted "Don't Believe Sects!" on a billboard in Baranovichy that directed persons to the Salvation Church, an affiliate of the Union of Evangelical Faith Christians in the Republic of Belarus. Officials and media opined that drunken teenagers might have been the vandals. The church claimed that this was an organized action.

On November 17, 2006, the New Life Church reported that police refused to institute criminal proceedings in connection with the defacing of their church on the night of October 31, 2006. Alleged members of the National Bolshevik Party, a Russian extremist group, splashed black paint on the church and painted in red "No to Totalitarian Sects!" and the party's symbol.

During the reporting period, there were some positive actions undertaken by private actors to promote greater respect and tolerance among different religions and to promote religious freedom.

On June 18, 2007, the General Secretaries of Catholic Bishops' Conferences of Europe concluded a 4-day forum held in Minsk. It was the first time in the contemporary history of the country that the secretaries gathered in Minsk. They discussed migration, ecumenism, pastoral care, relations with Muslim communities, and the issues facing the Roman Catholic communities in the country, including difficulties with building new churches. On June 15, the secretaries had a successful meeting with BOC Head Metropolitan Philaret. On May 28, 2007, BOC Head Metropolitan Philaret expressed support for the public organizing committee for the commemoration of the victims of Stalinist repressions.

In February 2007 Roma and Baptist communities worked together to provide the Roma population with gospels in Romany at no charge.

On April 19, 2007, the NGO Christian Human Rights House, in cooperation with the BCD, released "Monitoring of the Violations of Christians' Rights in Belarus," which chronicled repression against Christians during 2006. Christian Human Rights House was created in the summer of 2006 to monitor religious freedom violations and to work to alleviate the repression of freedom of conscience in the country.

On June 17, 2007, more than 500 Protestant communities across the country gathered at churches to conduct prayer services calling for changes in the religion law that they see as discriminatory against Protestant congregations. On April 22, Christian communities, including Protestants and Catholics, some individual Orthodox priests, and the BCD launched a campaign to collect 50,000 signatures on a petition calling for the revocation of the 2002 law on religions and religious organizations. On May 8, the Belarusian Exarchate of the ROC urged believers not to sign the petition, claiming that the law helps maintain peace among religious communities and stability in the country. By the end of the reporting period, the campaign reported collecting thousands of signatures.

On June 4, 2007, independent news services reported that approximately 5,000 Protestants gathered at the Church of Grace in Minsk to pray for persecuted religious activists and for freedom of religion, including the right to pray in private homes. The crowd adopted an appeal to President Lukashenko requesting a review of the 2002 religion law and an end to the arrests of ministers.

Section IV. U.S. Government Policy

The U.S. Government raises religious freedom issues with the Government as part of its overall policy to promote human rights; however, officials repeatedly turned down U.S. Government representatives' requests for meetings to discuss possible infringements.

Embassy staff maintained regular contact with representatives of religious groups and met with resident and visiting U.S. citizens of various religious groups to discuss religious freedom issues in the country. Embassy officials attended several events hosted by religious groups, including the unveiling of religious monuments. The Embassy demonstrated support for religious freedom by attending trials of persecuted religious groups. The U.S. Government denounced incidents of anti-Semitism and took action to help prevent future acts, including following up on reports of desecrated Jewish memorial sites and cemeteries. The Embassy monitored the continuing sale of anti-Semitic and xenophobic literature in stores and at events linked with the BOC and state media distributors. Embassy officials regularly included stops at religious sites during regional travel. Embassy officials discussed religious issues with representatives of other foreign diplomatic missions and coordinated actions to demonstrate solidarity in their

support for religious freedom. For example, the U.S. Ambassador, together with European Union ambassadors, visited the embattled New Life Church during a hunger strike by church members to protest the Government's forced sale of church property.

Annual report of the United States Commission on International Religious Freedom, May 2007

Belarus

Belarus has a highly authoritarian government, with almost all political power concentrated in the hands of President Aleksandr Lukashenko and his small circle of advisors.

The Lukashenko regime has engaged in a widespread pattern of serious human rights abuses, including involvement in the “disappearances” of several key opposition figures, the imprisonment of political opponents and journalists, and strict media controls. Human rights conditions deteriorated further after the March 2006 presidential elections, which observers from the Organization for Security and Cooperation in Europe (OSCE) and other organizations deemed fraudulent. The government of Belarus also continues to commit serious violations of the right of its citizens to freedom of thought, conscience, and religion or belief. Religious freedom conditions, which had already declined as a result of the strict law on religion passed in October 2002, deteriorated further in the past year. The Commission continues to place Belarus on its Watch List, and will maintain scrutiny throughout the year to determine whether the government’s record has deteriorated to a level warranting designation as a “country of particular concern,” or CPC.

According to the U.S. Department of State’s 2006 Country Reports on Human Rights Practices, the human rights record of the Belarus government “remained very poor and worsened in some areas, as the government continued to commit frequent serious abuses.” The State Department reports that the Belarus government continued to engage in arbitrary arrests, detentions, and imprisonment of citizens for political reasons, criticizing officials, or participating in demonstrations. Court trials, whose outcomes were usually predetermined, were often conducted behind closed doors without an independent judiciary or independent observers.

Government structures to control and restrict religious groups are extensive and intrusive, leading some human rights groups to compare today’s situation for religious freedom in Belarus to that under the former Soviet regime. For example, authorities reportedly issued a warning to three Christians in Brest for holding in a 24-hour silent vigil in June 2006 to express solidarity with victims of political repression in the country; the three protesters were told they needed prior permission to organize and conduct religious events outside designated worship areas.

Belarus also maintains its Soviet-era religious affairs bureaucracy, which includes a Plenipotentiary for Religious and Nationality Affairs and its staff in Minsk (known, until July 2006, as the State Committee for Religious and Nationality

Affairs), as well as several of its officials in each of the country's six regions. According to the Forum 18 News Service, the six regions have 20 districts, with each district having a Department for Relations with Religious and Social Organizations as well as a Commission for Monitoring Compliance with Legislation on Religion.

Legislation on religion passed in October 2002 led to greater restrictions on religious freedom in Belarus. The law codified the activities of the official Committee of Religious and Nationality Affairs (since renamed) of the Council of Ministers (CRNA) and set up severe regulatory obstacles and major bureaucratic and legal restrictions on the activities of many religious communities. Essentially, the 2002 religion law prohibits: all religious activity by unregistered groups; any activity of religious communities except in areas in which they are registered; foreign citizens from leading religious activities; and unapproved religious activity in private homes, with the exception of small, occasional prayer meetings. The law set up a three tiered system of registration, and particularly restricts the activities of groups on the lowest tier.

The law also mandated that all existing religious communities in Belarus re-register with the CRNA by November 2004. Most previously registered groups were re-registered, but the law was viewed as a strengthening of the government's opportunities to deny registration to disfavored groups.

Since coming to power in 1994, President Lukashenko has openly favored the Belarusian Orthodox Church (BOC), an Exarchate of the Moscow Patriarchate Russian Orthodox Church, resulting in a privileged position for the BOC. This relationship was codified in June 2003, when the Belarus government and the BOC signed a concordat setting out the Church's influence in public life, which has contributed to the difficulties for many religious minorities (described below). In March 2004, the Belarusian government granted the BOC the exclusive right to use the word "Orthodox" in its title. Several "independent" Orthodox churches that do not accept the authority of the Orthodox Patriarch in Moscow have been denied registration, including the Belarusian Autocephalous Orthodox Church (BAOC) and the True Orthodox Church, a branch of the Orthodox Church that rejected the compromise with the Soviet government made by the Russian Orthodox Church in the 1920s. In 2005, the State Department reported that authorities confiscated a building in Semkov Gorodok, which the local BAOB community had renovated for the church. In June 2005, authorities warned the priest of the unregistered Russian Orthodox Church Abroad (ROCA) that he could be jailed and fined for conducting "illegal religious activities," including small gatherings in private homes. In November 2005, authorities denied registration to another ROCA parish in Ruzhany; a religious affairs official in Brest reportedly told ROCA members to worship at the BOC. In recent years, ROCA members have been fined four times, totaling over \$2,000, for worshipping in private homes. The community again applied for registration, but in October

2006, there were credible reports that BOC officials were pressuring parishioners to withdraw their signatures from registration applications.

Some religious groups have been consistently denied registration, particularly Protestant groups. One frequent basis for registration or re-registration denials has been failure to provide a valid legal address, although, in some cases, registration is required before such an address can be obtained. Another is an alleged failure to limit activities to a required location. In many cases, officials do not provide any reason for the denial of re-registration requests. In 2006, the Belarus government rejected the UN Human Rights Committee's decision that it had violated religious freedom by refusing to register a nation-wide Hare Krishna association. The authorities maintained that their refusal was "justified" because it was in accordance with Belarusian law, but they failed to address the UN Committee's finding that a requirement for state-approved physical premises to gain legal registration is "a disproportionate limitation of the Krishna devotees' right to manifest their religion" under the International Covenant on Civil and Political Rights. In June 2006, a Minsk court deregistered the Christ's Covenant Reformed Baptist Church for lack of legal addresses.

Without state registration, religious communities can be liable to fines levied under a Soviet-era provision of the Administrative Violations Code. Evidence indicates that since 2004, the Belarus authorities have increased the amount of the fines as well as expanded the range of religious groups that are subject to them. Until two years ago, such fines were usually approximately \$15, and most often imposed on Council of Churches Baptist congregations, which refuse on theological grounds to register with any state authorities. Since 2006, such fines have increased, in some cases dramatically. According to Forum 18, the pastor and administrator of New Life Church were fined a total of \$5,455 for "unsanctioned" religious activity, a Pentecostal church was assessed fines that totaled \$2,767, and members of the Russian Orthodox Church Abroad were given fines totaling \$1,857. In July and August 2006, a Union of Evangelical Christians Salvation Church pastor was fined \$2,170 and \$300, respectively, for holding an unauthorized religious service and performing a baptism in a lake. In October 2006, independent media reported that authorities levied a fine of \$29 against a 78-year-old Roman Catholic priest for conducting an "unauthorized" religious service in Minsk; the priest, a Belarus born Polish citizen, had worked in the city of Slutsk for 15 years. The average monthly wage in Belarus is estimated to be \$139. In addition to fines, the Belarusian authorities appear to be adopting tougher sanctions, such as short-term detentions and imprisonment, against church leaders and parishioners who take part in unregistered religious activity. In March 2006, the pastor of the Minsk-based Christ's Covenant Reformed Baptist Church received a 10 day prison term for conducting religious worship in his home, the first time in 20 years that a religious leader was sentenced to imprisonment in Belarus. The church's re-registration request had previously been denied.

Pentecostal bishop Sergey Tsvor faced similar charges, but they were dropped because of technical errors made by the police. Also in March 2006, authorities sentenced human rights lawyer Sergey Shavtsov to 10 days in detention for conducting an unsanctioned interdenominational seminar in a private cafe. While re-registered religious organizations, including Muslims, Lutherans, and Baha'is, have held worship services at residential addresses without prosecution, the Administrative Violations Code (Article 167) and the 2002 religion law forbids most religious meetings in private homes and religious activity outside designated houses of worship without advance approval from state authorities. A first offense is punishable by a warning, a fine of between 20 and 150 times the minimum monthly wage, or three to 15 days' imprisonment. A second violation within one year is punishable by a fine of between 150 and 300 times the minimum monthly wage or 10 to 15 days' imprisonment. While the law permits persons to gather in private homes to pray, it requires that individuals obtain permission from local authorities to hold rituals, rites, or ceremonies in homes. Police interfered with religious meetings in residences several times in 2006, sometimes fining participants. Baptists, Pentecostals, and other Protestants were warned or fined for illegally conducting and hosting religious services.

In addition to problems for home worship, the government continued to limit the ability of a number of groups to own or use property for religious purposes. The government permits the use of residential property for religious services only after it has been formally converted from residential use. This interpretation of the law effectively requires all religious organizations to re-register their properties as religious properties. However, authorities continued to reject requests for property registration from many Protestant churches, as well as from other religious groups new to Belarus. In January 2006, police visited a residence during a worship service of a registered Minsk-based Pentecostal congregation and drew up a protocol against the bishop for alleged violations of the public demonstrations law, which requires advance official permission for all public events. This is despite the fact that the congregation is registered to hold worship services in that building. In July 2006, a Minsk court ordered the New Life Church to sell to the city a building it purchased as a place of worship at a price far below market value and to vacate the premises by the following October. The authorities refused to re-register the New Life Church because it tried to use a former cow barn as its legal residence; the pastor and other leaders were then assessed large fines for conducting services in the barn. After church members began a hunger strike, the authorities reviewed their decision. The Higher Economic Court, however, has postponed its ruling five times since December 2006. Members of a Catholic parish in the city of Grodno halted a hunger-strike after receiving endorsement for church construction from the Grodno city administration. According to the church's parish priest, the church has not yet received permission to build, but intends to "ask for final permission from the president."

Various other laws, regulations, and directives also restrict the activities of registered religious communities. For example, groups are not allowed to function

outside their geographic area of registration. If a registered religious community does not qualify as a “central association”—meaning it has not been legally recognized for over 20 years or it does not have enough members—it cannot own media outlets or invite people from outside Belarus to work with the community, as in the case of the Greek Catholic Church. The Society for Krishna Consciousness also does not qualify as a central association and therefore cannot rent a hall or produce a publication with a print run of over 300.

Generally speaking, the Belarus government continues to interfere with religious education or deny parents the right to provide religious education for their children. In August 2006, border guards transported to Minsk 47 Baptist children and adults who had been on a religious retreat on private property in the Grodno region. Local authorities had ordered the gathering to disperse and threatened to take the children to a police juvenile facility. According to the State Department, after their release, a senior religious affairs official in Minsk conceded that the retreat was legal since private individuals had organized the event.

The government does not deal sufficiently with anti-Semitism and has not responded adequately to find and hold accountable those responsible for vandalism against Jewish memorials, cemeteries, or other property. Reported anti-Semitic incidents continued in 2006, though there were fewer reported incidents than in previous years. In October 2006, vandals damaged property and gravestones at Jewish and Christian cemeteries in Orsha. At the Jewish cemetery, where 7,000 Holocaust victims are buried, 10 tombstones and the fence around the property were damaged. Police stated they would not file criminal proceedings for vandalism if the perpetrators were found. In November, Minsk’s Yama Holocaust Memorial was again vandalized on the same weekend that the Israeli Cultural and Information Center was also vandalized with swastikas and anti-Semitic graffiti. Although authorities initially refused to investigate these incidents, claiming they were cases of teenage hooliganism, later in November, Deputy Foreign Minister Viktor Gaysenok pledged that police would do everything possible to find and punish those who damaged the memorial. The investigation was pending at year’s end.

In late November, the Brest Jewish memorial, dedicated in 1992 to the memory of the Brest ghetto, was the subject of the sixth attack of vandals since the memorial was built. Police were investigating the incident. On another issue, because the 2002 religion law states that religious organizations do not have priority in reclaiming property confiscated in Soviet times if a former worship building is now used for culture or sports activities, only nine of 92 historic synagogues in Belarus have been returned to the Jewish community since the country’s independence in 1991.

The government did not permit foreign religious workers to engage in religious activities outside the institutions that invited them. Observers have expressed concern that lack of standardized government guidance on how to implement

recent changes to visa laws may affect the ability of foreign religious workers to live and function in the country. For 10 years, authorities have refused to renew the work permit of the founder of the Minsk-based New Testament Church and the pastor of its congregation. Forum 18 reported that in July 2006, authorities denied permission for the Full Gospel Union to invite a Nigerian pastor to preach at three member churches. In October, authorities refused to renew visas for seven Polish Catholic priests and five nuns from the Grodno region who had been working in the country for 10 years and ordered them to leave by the end of the year. Of the approximately 350 Catholic priests who serve in the three Roman Catholic dioceses in Belarus, over half are foreigners, mostly from Poland. In September 2006, a Catholic priest from Poland was summoned to Minsk for celebrating mass without state permission in that city a week earlier. Religious workers of other denominations with a long history in the country, particularly some Protestant groups, continued to have difficulties obtaining visas.

In contrast to the harsh measures described above, Lukashenko signed a law in late 2005 that exempted from tax the land and property of many religious organizations. The list of eligible religious organizations includes those denied re-registration but not yet liquidated by court order, such as the Minsk-based New Life Church and the Minsk Society for Krishna Consciousness. However, the recently liquidated Minsk-based Belarusian Evangelical Church and Belarusian Evangelical Reformed Union reportedly are not included. The Commission has traveled to Belarus and met with officials of the State Committee on Religious and Nationalities Affairs as well as with representatives of various religious and human rights groups. The Commission released a report on Belarus in May 2003 with recommendations for U.S. policy, reflecting the findings from its visit to that country. The Commission welcomed passage of the Belarus Democracy Act, approved by Congress in October 2004. President Bush' signature on the Belarus Democracy Reauthorization Act in January 2007 renewed the original legislation. This legislation has implemented certain Commission recommendations regarding freedom of religion in Belarus. Throughout the past year, Commission staff has met with independent human rights activists from Belarus, including the author of the "White Book," an extensive report on religious persecution in that country. In 2004, 2005, and 2006, the Commission took part in meetings of the Organization for Security and Cooperation in Europe, presenting information on freedom of religion in Belarus and meeting with Belarusian officials.

With regard to Belarus, the Commission recommends that the U.S. government should undertake the following policies in multilateral relations and in regard to international organizations:

- use every measure of public and private diplomacy to advance the protection of human rights, including religious freedom, in Belarus, including enhanced monitoring and public reporting by the U.S. Department of State and the appropriate international organizations;

- coordinate with the European Union on the application of financial sanctions and visa bans on high-ranking Belarusian officials, particularly those who are directly responsible for or who have carried out the government's abuses of religious freedom;
- undertake efforts to prevent Belarus from gaining membership in the new UN Human Rights Council; and
- urge the Belarus government to issue invitations to the UN Special Rapporteur on the Situation of Human Rights in Belarus; the Special Rapporteur on Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; the Special Rapporteur on the Promotion and Protection of the Right to Freedom of Expression; the Special Representative of the Secretary-General on the Situation of Human Rights Defenders; the Special Rapporteur on Freedom of Religion or Belief, as well as the Working Group on Enforced and Involuntary Disappearances.

The U.S. government should undertake the following policies in bilateral relations:

- urge the Belarus government to take immediate steps to end repression, including:
 - repealing the highly repressive religion law;
 - ending the practice of denying registration to religious groups and then erecting obstacles to religious practice because of that unregistered status;
 - providing the right to conduct religious education and distribute religious material;
 - halting government attacks on the persons and property of minority religious groups;
 - ensuring a greater effort on the part of government officials to find and hold to account perpetrators of attacks on the persons and property of members of religious minorities; and
 - providing free access by domestic and international human rights groups and others to sites of religious violence or the destruction of places of worship;
- urge the Belarus government to ensure that no religious community is given a status that may result in or be used to justify impairment of the rights of members of other religious groups;
- urge the Belarus government to publicly condemn, investigate, and prosecute criminal acts targeting Jews and the Jewish community, as well as members of other ethnic and religious communities;
- continue to support, publicly and privately, persons and groups engaged in the struggle against repression in Belarus, including the group of religious and opposition activists who make up the Freedom of Religion Initiative that published the "White Book"; and
- organize roundtables inside Belarus between members of registered and unregistered religious communities and international experts on freedom of religion.

In addition, the U.S. government should implement or modify the following U.S.-funded programs and policies:

- institute fully the measures set forth in the 2007 Belarus Democracy Reauthorization Act, which expresses the Sense of Congress that sanctions be applied against the government of Belarus until the U.S. president “determines and certifies to the appropriate congressional committees that the government of Belarus has made significant progress” in meeting human rights conditions designated in the bill, including: the release of individuals who have been jailed on account of their political beliefs; the withdrawal of politically motivated charges against opposition figures; a full accounting of the “disappearances” of noted opposition leaders and journalists; and the cessation of all forms of harassment of independent media, non-governmental organizations, opposition groups, and religious organizations; specific sanctions would include: the denial of entry into the United States to high-ranking Belarusian officials, and the prohibition of strategic exports and U.S. government financing to the Belarusian government, except for humanitarian goods and agricultural or medical products;
- ensure that the activities to promote democracy authorized by the Belarus Democracy Act include the right to freedom of religion or belief and the promotion of religious tolerance;
- urge that Congress and the State Department ensure that U.S. government-funded radio broadcasts to Belarus, including those of Radio Free Europe/Radio Liberty, continue at least at their present levels and that efforts are made to secure sufficient transmission capacity to ensure reliable reception throughout that country; and
- provide increased international travel opportunities, particularly to attend international conferences, for Belarusian civil society leaders, including representatives of human rights groups and religious leaders, and others who defend freedom of religion in that country.

Forum 18 Religious Freedom Survey on Belarus 2006

"Killing a frog by warming up the water very gradually" is how one Belarusian Protestant describes the state's religious policy. He notes that the first religious organisations to be closed down in August 2005 as a result of the restrictive 2002 Religion Law – Pastor Ernest Sabilo's Belarusian Evangelical Church and Pastor Lyavon Lipen's Belarusian Evangelical Reformed Church – are small and independent. So too is Christ's Covenant Reformed Baptist Church, whose pastor, Georgi Vyazovsky, was given a ten-day prison sentence in March 2006 – the first for religious activity on Belarusian territory since the demise of the Soviet Union. Without public prominence or a larger umbrella association to act in their defence, the Protestant points out, these churches made easy initial targets. "When Sabilo had problems, some people said 'Why protect him?' as they saw him as the 'wrong' kind of Baptist," a member of Vyazovsky's church explained to Forum 18. "I said 'Today it's Sabilo, tomorrow it will be us.' And it was."

The incremental growth in restrictions under President Aleksandr Lukashenko – particularly in the wake of the 2002 Religion Law – has in many respects brought Belarusian believers back to the late Soviet period. They are legally able to practise religion in community only with express permission from the state. Under the 2002 Law, religious communities must be registered with the state, for which they require state-approved, non-residential premises. All public events outside these premises must be approved in advance by the state under the 2003 Demonstrations Law. Legal provisions typically combine to make nothing possible. Denied compulsory re-registration because of the impossibility of securing state-approved worship premises in Minsk, for example, the charismatic New Life Church was denied state permission to import religious literature in August 2005.

The state's demands of religious communities are not just simple bureaucratic procedures, which some communities are failing to comply with due to incompetence or intransigence. As one Protestant points out, "They have created conditions so you can't live by the Law. We would need to close half our churches in order to operate technically in accordance with the Law." Religious believers may encounter obstruction from the moment they seek to organise their activity. Baptists, Pentecostals and the Russian Orthodox Church Abroad all report routine state intimidation of those who agree to include their personal details as the founders of a new religious organisation, such as by threatening to withhold a share in a village tractor or livestock. In official documents, one senior official even insists openly that Orthodox should be dissuaded from affiliation to the Russian Orthodox Church Abroad, criticising junior officials "who have found neither the time nor the opportunity to influence these believers or to assist the local priest in returning them to the fold of the [Moscow Patriarchate] church."

Particularly in the capital Minsk, Protestants and Hare Krishna devotees report the following phenomenon. Once they have located suitable premises for rent - a

difficult task in a Soviet-planned city where religious activity is not permitted in cultural or educational institutions - and included the address as part of the compulsory registration procedure, the landlord suddenly withdraws consent citing state pressure. Officials may also refuse to allow even a legal address to be registered at particular premises. A pastor of the Baptist Union, for example, was this year refused permission to register a new community's legal address at his home, on the grounds that this would be detrimental to his children and that the building has no outside electric light. Krishna devotees complained to the United Nations Human Rights Committee, after similarly being told that they could not register the legal address of an umbrella association at premises in Minsk due to alleged fire-safety and sanitation violations. The UN Committee upheld their complaint, pointing out that "appropriate premises [for worship] could be obtained subsequent to registration," but the Belarusian government defended its decision in 2006, arguing that it was justified under Belarusian law.

Without republic-wide association status, Krishna devotees do not have the right to establish monasteries, missions and educational institutions or invite foreign citizens to Belarus to preach or conduct other religious activity. In September 2006, the Independent Evangelical-Lutheran Church in the Republic of Belarus was likewise refused registration as a republic-wide association, due to "technical problems" in its application.

Without state registration, religious communities are liable to a fine under a Soviet-era provision of the Administrative Violations Code. Up until two years ago, such fines were usually relatively low – typically 33,000 Belarusian Roubles (105 Norwegian Kroner, 13 Euros or 15 US Dollars) – and for the most part encountered by congregations of the Council of Churches Baptists, who refuse on theological grounds to register with any state authorities in the former Soviet Union. They and other unregistered independent Protestant churches reported 17 such fines over the period 2003/4. While the analogous figure for 2005/6 is 12, the fines have on several occasions been significantly higher – 150,000 Belarusian Roubles (438 Norwegian Kroner, 56 Euros or 72 US Dollars), 240,000 Belarusian Roubles (698 Norwegian Kroner, 86 Euros or 111 US Dollars) and 580,000 Belarusian Roubles (1,767 Norwegian Kroner, 223 Euros or 270 US Dollars). The average monthly wage in Belarus is estimated to be around 303,000 Belarusian Roubles (885 Norwegian Kroner, 108 Euros or 139 US Dollars).

Also during the period 2005/6, the pastor and administrator of New Life Church were given fines for unsanctioned religious activity totalling 11,897,000 Belarusian Roubles (34,828 Norwegian Kroner, 4,370 Euros or 5,455 US Dollars), a Pentecostal church fines totalling 5,930,000 Belarusian Roubles (19,553 Norwegian Kroner, 2,166 Euros or 2,767 US Dollars) and members of the Russian Orthodox Church Abroad fines totalling 4,152,000 Belarusian Roubles (12,320 Norwegian Kroner, 1,582 Euros or 1,857 US Dollars). Orthodox communities outside the Belarusian Orthodox Church (Moscow Patriarchate) have been denied official status, and the worship building of one autonomous

Orthodox parish was even bulldozed by the authorities in 2002.

Muslim and Jewish communities, however, have told Forum 18 that their home meetings, while technically illegal, are not subject to state scrutiny. It thus remains unclear to what extent illegal home worship meetings are targeted. One young Protestant points out that many Soviet-generation pastors do not bother to publicise relatively small fines, as they were used to more frequent and harsher prosecution in their youth. Senior state representatives appear keen to enforce this part of the Administrative Code, however: one regional religious affairs official complained to his subordinates in a 2005 report about the low prosecution rate of those involved in unregistered Baptist meetings.

Despite tight restrictions on missionary activity in the highly restrictive Religion Law - and with state approval for such activity hard to obtain – religious believers have managed to share their faith in public through popular music. In what seems to be a unique phenomenon in the former Soviet Union, Forum 18 has found that faith-inspired musicians have achieved broad public support. Christian bands often appear on state television's pop music programmes and several Hare Krishna groups – among them rap artists – have also performed at a prestigious music festival. Asked by Forum 18 whether the prevalence of religious themes in Belarusian popular music might be the consequence of extensive state restrictions on organised church activity, one lead singer of a Christian band remarked "if they try to stop God one way, we'll try another".

Apparently due to heightened political tension during the presidential election period, punishment for unsanctioned religious events became harsher during the spring of 2006. Previously given only an official warning, Pastor Georgi Vyazovsky was imprisoned for ten days, as was religious freedom lawyer Sergei Shavtsov. A Pentecostal bishop, Sergei Tsvor, was spared a possibly similar fate only due to the expiry of the legal deadline for his prosecution. In March/April 2006, Minsk's Hassidic Jews were also refused permission to hold their Purim and Passover celebrations, which went ahead without obstruction in the rest of the country. November 2005 amendments to the Criminal Code – which have yet to be enforced - now punish the organisation or leadership of a religious organisation found to "harm the rights, freedoms and legal interests of citizens, or prevent their fulfilment of state, social or family duties" with imprisonment for up to three years.

The fact that three massive fines totalling 5,930,000 Belarusian Roubles (19,553 Norwegian Kroner, 2,166 Euros or 2,767 US Dollars) were imposed on a registered Pentecostal church, for holding unsanctioned open-air baptisms in 2005/6, indicates that registration does not guarantee full religious freedom. This looks set to be increasingly the case, particularly in the property sphere. Several Protestant representatives have told Forum 18 that a high proportion of registered churches own prayer houses which are not legally houses of worship or else are not fully documented. One referred to "a lovely large meeting hall" which is "a

ruin on paper". At another Protestant church, which the authorities refuse to approve as fit for use, staff quickly leave their office just before regular state check-ups and do not install furniture properly to avoid prosecution. Protestant representatives fear that, in future, there will be more systematic moves to restrict registered churches, such as by forcing those in free-standing residential buildings (currently possible with state approval) to change those premises' legal status via an onerous bureaucratic procedure, or by issuing burdensome tax demands. A December 2005 presidential decree relieving religious organisations from land and property tax extends only to official houses of worship and the land supporting them.

Protestants also complain that securing permission to build new churches is virtually impossible. In Minsk, city planners reportedly are not planning to grant any such permissions until 2030. Protestant churches in the capital also report being treated as commercial organisations with regard to the City Development Fund, to which those seeking to buy or build property are asked to pay a one-off sum determined by the city authorities, estimated by different sources as equivalent to hundreds of thousands of Dollars.

This requirement is not enforced against all religious communities. Muslim representative Mufti Abu-Bekir Shabanovich, whose community is currently building a mosque in Minsk with Saudi Arabian funding, told Forum 18 that it has not had to donate anything to the Fund. He commented that the presence of a mosque in the capital is important for Belarus' relations with the Islamic world.

The state's tendency to pick up on religious communities' "irregularities" means that some feel obliged to keep a low profile. One Catholic representative, for example, told Forum 18 how a parish voluntarily closed down an educational programme, which did not have official approval, for fear of harassment. In Minsk, Krishna devotees appear to have arrived at an unofficial compromise: They have not been disturbed for over a year by the city authorities - despite not having the right to use their own building for worship – but they have also ceased all visible public activity, such as street processions and book distribution.

The state's different treatment of different faiths is not random. While Minsk officials claim that Krishna devotees and New Life Church are simply violators of the law and dealt with accordingly, 1997 and 2000 reports by state religious affairs specialists brand the Society for Krishna Consciousness "a destructive totalitarian sect" and one of New Life's fellow Full Gospel congregations "a neo-mystical religious-political destructive sect" whose growth poses "a significant threat to the individual, society and state".

Together with 1996 amendments to the Constitution, the 2002 Religion Law regulates the state's treatment of religious organisations according to their historical influence. President Aleksandr Lukashenko has repeatedly affirmed his support for the Belarusian Orthodox Church (Moscow Patriarchate) - whose

leadership endorsed the 2002 Law - as "the basis of our faith", "the most important origin of correct decision-making at state level" and, prospectively, "one of the most important pillars of our state". While the Belarusian Orthodox Church does not encounter the obstacles experienced by out-of-favour groups and has received state backing for church construction and religious education, it is affected by some provisions in the 2002 Law, however, such as the minimum requirement of 20 members for a new community and a ban on the use of state school premises, even outside school hours.

One important reason for the state's relative eagerness to exert control over religious communities is its preservation of an extensive Soviet-era religious affairs bureaucracy. As well as a Plenipotentiary for Religious and Ethnic Affairs and four staff in Minsk (until July 2006 the State Committee for Religious and Ethnic Affairs) and one or two religious affairs officials in each of the country's six regions plus Minsk city, 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.

A Soviet-style anti-religious attitude is particularly strong in the educational sphere. After celebrating Purim in an optional class on Jewish culture and traditions for Jewish children at a state kindergarten in 2006, a music teacher was accused by a district public prosecutor of "illegal and deliberate dissemination of religious dogma to young children, which could cause considerable harm to their world view, rights and legal interests." A 2002 state textbook teaches that Baptists, Pentecostals, Adventists and Jehovah's Witnesses are "sects" encouraging fanaticism, that Krishna devotees need psychiatric help and that Orthodox worship induces a hypnotic state. State officials have rejected religious leaders' complaints about such schoolbooks.

Older school pupils have told Forum 18 that those of approximately 13 and younger – who have been in the education system while the state's anti-Protestant stance has become more pronounced – regard their charismatic church as a "sect", whereas their contemporaries are neutral. While the state-promoted Belarusian Republican Youth Union is also negatively inclined towards Protestant churches, the authorities tend to discourage faith-based youth work. In early 2006, the Ministry of Justice closed down Generation, whose Christian leaders had run English-language summer camps. Numerous checks by local state departments on one Baptist youth summer camp in 2006 "made it impossible for us to work," according to one pastor. Also this summer, local authorities forcibly returned to Minsk a group of church families camping together in private grounds, claiming that their holiday was an event requiring state permission. Some teachers try to identify and threaten those pupils who attend Baptist Sunday schools, as in the Soviet period.

Recently the state appears to have become particularly keen to restrict Protestant activity as a potential political threat. One Protestant points out that, with

independent political, business and social organisations crushed in turn, evangelical churches, as the largest remaining social organisations, are now in the frontline, especially as their belief in the priesthood of all believers means that "each individual Protestant is a potential activist". The situation is not in fact clear-cut, however. While a number of prominent opposition activists are committed Protestants, an undetermined proportion of evangelicals are said to be broadly content with the current regime, "except for the persecution". Particularly during election periods, the state discourages religious leaders from engaging in political activity.

A foreign Protestant, who used to work in the humanitarian aid sphere in Belarus, has suggested to Forum 18 that he was denied a visa because his partnership with Christian churches involved teaching "responsibility, a change of attitude - that it is not Jesus' example to sit down and accept what happens in your community". Western contact appears to be another reason for the state's particularly negative attitude towards Protestants. In recent years several Protestant communities have been refused permission to invite foreigners to work with them. In addition, two Polish Catholic priests were refused permission to renew their annual visas in 2005, and 12 more priests and nuns in 2006. A 1999 Council of Ministers decree restricts a foreign citizen's professional religious activity to specific state-approved premises. The transfer of a foreign religious worker from one organisation to another – such as between parishes – requires state permission, even for a single service. In this way, a Polish Catholic priest was detained after serving Mass while passing through Minsk in September 2006.

In a Catholic weblog discussion, a parishioner present at the Mass noted that the man and woman in plain clothes who accused the priest of violating the law "are always sitting in our church". Similar anecdotal evidence suggests that Soviet-style observation of religious communities by the secret police is commonplace. In late 2004, for instance, KGB secret police officers interrupted a service at a Baptist church when two foreign citizens stood in for a pastor without state permission. More recently, a Pentecostal told Forum 18 that the local KGB warned an Orthodox friend not to meet with him by claiming that "Pentecostals are controlled by foreign money and that for attracting two people into my church I would get a car." There have been reports of the KGB seeking to recruit members of religious communities as informers.

The Belarusian KGB secret police – which has not changed its name since Soviet times - has made no attempt to distance itself from its Soviet past and proudly traces its history back to the first Soviet secret police, the Cheka. In the 1920s "Chekists stood shoulder to shoulder with the entire Belarusian people in resolving the most difficult and pressing economic and social tasks before them," its official website maintains, before claiming that the organisation was actually a victim of Stalin's purges in the 1930s: "23,000 Chekists were repressed - the very best professionals, moreover, [Felix] Dzerzhinsky's comrades, outstanding people with rich and sensitive souls, selflessly serving the Motherland and fighting for a

bright future for their country."

Revived in 2003, state Ideology Departments are sometimes also involved in the close monitoring of religious communities. In 2005/6 local ideology officials broke up a seminar on family life led by a Baptist and threatened a Russian Orthodox Church Abroad priest with two weeks' imprisonment or a large fine for "illegal religious activity".

As state pressure steadily mounts, however, Forum 18 observes that religious believers are increasingly putting aside their confessional differences in organised resistance. Most recently, a variety of Protestant churches joined in support of New Life Church's hunger-strike in defence of its property. Catholics in the town of Grodno [Hrodna], who also prayed for New Life, drew on that community's example in turn by declaring their own hunger-strike for permission to build a new church.

Such initiatives appear exceptional within the former Soviet Union, but Belarusians typically do not regard their religious differences as divisions. Several have suggested to Forum 18 that any insistence upon affiliation to a particular confession (or none) is characteristic of successive historical attempts by external powers to manipulate the Belarusian people. Instead, they point to a passage in one of the earliest legal declarations of religious freedom and tolerance, chapter 3, article 3 of the 1588 Statute of the Grand Duchy of Lithuania (which included the territory of present-day Belarus): "And if there should be significant difference in the Christian faith, we vow to ourselves and to our descendants for all time, under oath, on our faith, dignity and conscience, that those who differ in faith will keep peace with one another

This article was published by Forum 18 on 14 December 2006, author Geraldine Fagan.

Belarus: Officials Justify Rejection of Religious Freedom Petition

(Forum 18, Geraldine Fagan, 29 April 2008)

The chair of the parliamentary Human Rights, Ethnic Relations and Media Committee, Yuri Kulakovsky, has defended to Forum 18 News Service Belarus' refusal to consider a nationwide religious freedom petition signed by over 50,000 citizens. Three human rights defenders were fined in late April for their role in organising the petition.

Kulakovsky explained to Forum 18 from the capital Minsk on 29 April that the petition organisers failed to follow the legal procedure of registering an initiative group with the electoral commission before collecting signatures. Forum 18 pointed out that no such conditions for petition-gathering exist in ordinary democratic societies. "You're wrong!" Kulakovsky told Forum 18 repeatedly. "There is a procedure for such initiatives in any democratic society, and they didn't follow it." Forum 18 asked the Human Rights Committee chairman in which other democratic countries such a procedure exists. "There certainly is in Norway," replied Kulakovsky. "We didn't make anything up, you know - we followed European democratic norms."

Gunnar Martin Ekeløve-Slydal, Deputy Secretary General of the Norwegian Helsinki Committee, confirmed to Forum 18 on 29 April that in Norway there is "no need at all to ask for permission to collect signatures in support of peaceful activity" – or indeed to follow any procedure whatsoever.

Three petition organisers have received fines of almost double the average monthly wage for their role in the campaign to change the restrictive 2002 Religion Law. On 22 and 25 April Minsk's Moscow District Court handed down fines of 1,400,000 Belarusian Roubles (3,343 Norwegian Kroner, 419 Euros or 652 US Dollars) to Pavel Severinets, Pastor Vyacheslav Goncharenko and Sergei Lukanin.

Speaking to Forum 18 shortly after the 25 April hearing, Pastor Goncharenko said he would seek advice on whether to appeal against the fine. Handed down on 25 April during his absence abroad, Lukanin found out about his fine only on 28 April. Severinets intends to lodge an appeal against his fine, he told Forum 18 on 24 April, "but I doubt it will change anything."

The chancellery of Moscow District Court refused even to confirm the details of the fines by telephone on 28 April.

Severinets, Goncharenko and Lukanin were prosecuted under Article 9, Part 10 of the Administrative Violations Code, which punishes violations of the realisation of the right of citizens to legislative initiatives.

Under the 2003 Law on the Realisation of Legislative Initiatives by Citizens, citizens wishing to launch such an initiative must register an initiative group with the state. Believing that they would be denied such registration, the petitioners argued that they were not exercising a legislative initiative themselves, but asking state bodies to do so on their behalf.

Severinets pointed out to Forum 18 that if petitioners had wanted to exercise a legislative initiative themselves, "We would need to have proposed our own alternative text for the Religion Law. But we didn't, so we couldn't have violated procedures."

Severinets, an Orthodox Christian, is a Youth Front and Belarusian Christian Democracy activist. Sentenced to three years in an open regime prison in mid-2005 for organising an unsanctioned opposition demonstration, he was granted early release in May 2007 (see F18News 20 March 2008 http://www.forum18.org/Archive.php?article_id=1103).

Goncharenko is pastor of the 1000-strong charismatic New Life Church in Minsk, which has come under intense pressure from the city authorities in recent years (see most recently 7 February 2008 http://www.forum18.org/Archive.php?article_id=1084).

Severinets was charged with violating Article 9, Part 10 on 1 April after being stopped by police in the Minsk metro. Pastor Goncharenko was charged on 24 March, and Lukanin on 21 March (see F18News 2 April 2008 http://www.forum18.org/Archive.php?article_id=1109).

Pavel Nozdrya and his charismatic Jesus Christ Church in Mozyr [Mazyr] in Gomel [Homyel] Region have been harassed by state officials for active involvement in the Religion Law petition. Nozdrya told Forum 18 he was fired from his job as an electrician at Mozyr State Pedagogical University after the Education Ministry rebuked the University's rector for employing an "oppositionist" (see F18News 2 April 2008 http://www.forum18.org/Archive.php?article_id=1109).

Nineteen campaigners, including Lukanin, were briefly detained for gathering signatures last summer (see F18News 5 July 2007 http://www.forum18.org/Archive.php?article_id=989).

In what they believe to be "the largest non-political, civil campaign in Belarusian history," Catholics, Orthodox and Protestants began collecting signatures in late April 2007 (see F18News 16 May 2007 http://www.forum18.org/Archive.php?article_id=957).

In February-March 2008 campaign organisers submitted copies of the completed 3,442-page petition to the Constitutional Court, Parliament, Presidential Administration, Supreme Court and Higher Economic Court. All have rejected the petitioners' request for a review of the constitutionality of the Religion Law (see F18News 5 March 2008 http://www.forum18.org/Archive.php?article_id=1097).

While alleging procedural violations, state officials' responses also defend the Religion Law.

Writing to the petition organisers on behalf of the lower house of parliament, Kulakovsky of the Human Rights, Ethnic Relations and Mass Media Committee

maintained that provisions of the Law particularly criticised by campaigners – compulsory state registration, geographical restrictions on religious organisations' activity, a requirement for state permission for services outside designated houses of worship and a ban on foreign citizens founding or leading religious organisations – conform to Article 16, Part 3 of the country's 1994 Constitution.

Article 16, Part 3 prohibits religious activity "directed against the sovereignty of Belarus, its constitutional order and civic accord, connected to violation of the rights and freedoms of citizens, preventing citizens from carrying out their duties to the state, society or family or injuring health or morals."

Kulakovsky's 25 March reply also maintains that both the Plenipotentiary for Religious and Ethnic Affairs and the Ministry of Justice consider current implementation of the 2002 Law to be "of an objective nature" and in compliance with international religious freedom standards (see F18News 2 April 2008 http://www.forum18.org/Archive.php?article_id=1109).

In 2005 the UN Human Rights Committee found that Belarus had violated the religious freedom guarantees of Article 18 of the International Covenant on Civil and Political Rights (ICCPR) by refusing - in line with the 2002 Religion Law - to give legal status to a republic-wide Hare Krishna association. One member of the Committee, Professor Ruth Wedgwood, noted that there are many other serious problems raised by the 2002 Law (see F18News 4 November 2005 http://www.forum18.org/Archive.php?article_id=682).

After exhausting other methods of negotiation with the state authorities, some Belarusian religious believers are adopting tactics more usually associated with secular political activism in their campaign for religious freedom. Mainstream opposition activists are in turn drawing on religious ideas (see F18News 29 November 2006 http://www.forum18.org/Archive.php?article_id=880).

A Russian Protestant points to this trend in a 22 April blog response to a Russian translation of a New York Times article on problems faced by Protestants in Russia. Writing under the pseudonym "Jesfor", the contributor suggests Russian Protestants should escape marginality by following Belarusian Protestants' example. "Belarusian Protestants are leaders of opposition movements, organisations," he writes. "[They are] trusted figures of [opposition leaders Aleksandr] Milinkevich and [Aleksandr] Kozulin, the vanguard of the battle for the Belarusian national state, its history, culture and language."

**International Helsinki Federation for Human Rights – Report 2007:
"Human Rights in the OSCE Region: Europe, Central Asia and North
America, Report 2007 (Events of 2006); From Flawed Elections to
Crushing of Civil Society" (p. 252ff.)**

Freedom of Religion and Religious Tolerance (Belarus)

Despite constitutional guarantees for freedom of religion and equality between all religious communities, the Russian Orthodox Church enjoyed a privileged position over all other religions on the basis of the 2003 concordat signed between the government and the church. The Belarusian state openly supported the Belarusian Exarchate of the Russian Orthodox Church both financially and morally. Meanwhile, minority religious communities continued to be subjected to discrimination.

As of November 2005, Belarus had 26 registered denominations. Almost half of the 2,829 registered religious communities constituted Orthodox communities. In addition, there were 494 Evangelic communities, 439 Catholic, 63 Seventh-Day-Adventist, 26 communities of Jehovah's Witnesses, and others.²⁴ Minority groups faced obstacles in compulsory reregistration in 2004-2005.

It was difficult for the Belarusian population to obtain objective information about minority religions. The state-run mass media spread false and defamatory information about minority religions even though it was prohibited by the Law on the Press and Other Mass Media.

While the 2002 restrictive law on religious organisations was justified as necessary to protect citizens against dangerous "sects," the law in fact placed serious restrictions on all religious activity and required that all religious associations be re-registered in 2004.

The preamble of the 2002 law vested the Russian Orthodox Church with a special status because of its "determining role" in spiritual, cultural and state developments in Belarus. The law established that only those religions that existed in the country 20 years before the law's adoption and had at least ten-member congregations would be officially recognised. Such regulations relegated the so-called "new religions" in a difficult position: for example, the Hare Krishna movement was not officially recognised, as it was not registered during the Soviet era. Virtually no other Orthodox communities than those subordinated to the Moscow Patriarchate were registered.

Non-registered religious groups were banned by law: they were not allowed to collectively practice their faith or invite foreign clerics to visit the country, they could not establish monasteries or educational institutions, and their religious literature was subject to censorship prior to import or distribution. The vaguely formulated law was also used to restrict many other religious activities: for

example, meetings of members of different communities of the same denomination were regarded as a violation of the law.

The requirement to have a permit from authorities to lease premises for religious events affected particularly many Protestant communities, which did not have premises of their own. In Minsk, most of the 500-800 Full Gospel communities continued to have difficulties organizing their meetings as no one wanted to let rooms to them.²⁶ Members of minority religious groups - especially those belonging to small communities in rural areas – who participated in religious meetings were frequently warned, fined or arrested.

On 7 October, New Life church administrator Vasil Yurevich was found guilty of organizing and participating in a church service on 4 September. Yurevich was regarded as the organizer of the service because he had greeted the parishioners.

Conscientious Objection to Military Service

The Belarusian Constitution guarantees the right to carry out alternative civilian service to military service if the applicant's conviction is based on religion. However, by the end of 2005, the parliament had not adopted a law on alternative civilian service. In practice, believers who refused to conduct military service as well as pacifists faced criminal prosecution or administrative sanctions.

Human Rights Watch Country Summary: Belarus (January 2008) (p.2-3)

Human Rights Defenders and Civil Society

Only five human rights organizations remain registered in Belarus: the Belarusian Association of Journalists, Society for the Belarusian Language, Belarusian PEN Center, Belarusian Helsinki Committee, and Pravavaia Initsiativa (Legal initiative).

The authorities continually seek to intimidate and control these groups, including by penalizing them for association with unregistered organizations. Other human rights groups continue to operate without registration; their attempts to register legally are repeatedly denied.

For example, on September 21, 2007 the human rights group Viasna filed suit with the Belarusian Supreme Court, challenging the Ministry of Justice's refusal to register the organization. The ministry claimed that Viasna did not meet registration requirements of the Nongovernmental Organizations Law and had used in its application incorrect information on birthdates and the spelling of names. It also noted that 20 of the organization's 69 founders have been convicted for various misdemeanor offences. In July 2007, the United Nations Human Rights Committee found that the closure of the organization's predecessor (of the same name) was a violation of Article 22 of the International Covenant on Civil and Political Rights (ICCPR).

The Supreme Economic Court upheld a ruling by the Economic Court of Minsk ordering the Belarusian Helsinki Committee (BHC) to pay 160m rubles (about US\$75,000) and confiscating property valued at 255,000 rubles (about US\$120) in fees and back taxes for tax-exempt grants received from the EU's TACIS program (Technical Assistance to the Commonwealth of Independent States).

Religious Freedom

The Belarusian constitution provides for freedom of religion, but the government makes it difficult for religious institutions other than those affiliated with the Belarusian Orthodox Church to practice. The authorities often refuse to register spaces where religious organizations convene, choosing a strict interpretation of the housing code, therefore making such gatherings illegal, and have fined, threatened, and detained several religious leaders for holding religious services in "unauthorized" spaces. More than 25 foreign Catholic and Protestant clergy were expelled from Belarus between the summers of 2006 and 2007 for allegedly "posing a threat to national security."

Council of Europe Excerpt Regarding Application of Criminal Sanctions for Basic Democratic Activity; Report on Abuse of the Criminal Justice System in Belarus – the Committee on Legal Affairs and Human Rights, Rapporteur: Mr. Christos POURGOURIDES, Cyprus, Group of the European People's Party, December 2007 - II. “Specific Criminal and Administrative Provisions Targeting the Political Opposition, Civil Society and Independent Media”

20. A complex set of legislation affecting the freedom of action of democratic forces was adopted by parliament days before the announcement of the date of the 2006 elections. Law No 71-3 of 15 December 2005 “On Making Changes and Additions to certain Legislative Acts of the Republic of Belarus on the Issue of Strengthening Responsibility for the Actions Directed against the Person and Public Safety”, dubbed “anti-revolution law”, amended the Criminal Code, in particular by reformulating its Article 193 and introducing the new Article 193-1.⁴ This Law establishes prison sentences inter alia for

- organising or taking part in the activities of a suspended or closed non-governmental organisation or foundation (six months to two years, Article 193-1 Criminal Code);
- training or financing the training of persons to take part in street protests (from six months to three years, Article 293 Criminal Code)⁵;
- “misrepresenting” the situation in Belarus to foreign countries or international organisations (Article 369-1 Criminal Code) and asking them to act against the country’s security, sovereignty and territorial integrity, or distributing material or information containing such appeals (from two to five years, Article 361 Criminal Code).⁶

21. The new Article 193-1 criminalising the activities of non-registered groups must be read in conjunction with Statement No 49 of 13 September 2005 of the Ministry of Justice of Belarus, which effectively extends registration requirements (as enforced by Article 193-1) to different types of citizens’ groups which had previously been allowed to function without registration as legal persons.⁷

⁴ Article 193-1: Illegal organisation of activities of a non-governmental organisation, a religious organisation or a foundation, or participation in their activities

The organisation of the activities or participation in the activities of a political party, another non-governmental organisation, of a religious organisation or of a foundation against which a competent State body has taken a decision, which has come into force, of dissolution or suspension of its activities, as well as the organisation of or participation in the activities of a political party, another non-governmental organisation, of a religious organisation or of a foundation, which has not undergone the official registration process,

is punishable by a fine or by an administrative detention of up to six months, or by a term of imprisonment of up to two years.

Comments:

1. By “participation in the activities or participation in the activities of a political party, another non-governmental organisation, of a religious organisation or of a foundation” is understood in this article any actions aimed at attaining the objectives pursued by the organisation or foundation, in particular according to its statute or other documents.

2. The present article does not apply to the activities or participation in the activities of a political party, another non-governmental organisation, of a religious organisation or of a foundation, against which a competent State body has taken a decision, which has come into force, of dissolution or suspension of its activities, as well as the organisation of or participation in the activities of a political party, another non-governmental organisation, of a religious organisation or of a foundation, which has not undergone the official registration process, which are intended to eliminate the violations that motivated the suspension, or to the organisation of or participation in activities of these bodies aimed at fulfilling the formalities of official registration.

3. A person who voluntarily ceases to carry out the acts described in the previous article and who indicates this to the state authorities is exempt from criminal responsibility provided his/her actions do not constitute another criminal offence. The present rule does not apply to persons who commit similar acts in the two years following the voluntary cessation of the acts described in the present article.

⁵ Articles 293 or 342 of the Criminal Code (depending on whether the group activities in question “seriously violate public order”).

⁶ Article 369.1 of the Criminal Code (“discrediting of the Republic of Belarus”).

⁷ Cf Expert Opinion of the Conformity of Article 193-1 of the Criminal Code of the Republic of Belarus to the Constitution of the Republic of Belarus and International Acts Ratified by Belarus, by Hary Pahaniaila, Chairman of the Legal Commission of the Belarusian Helsinki Committee (page 4); the Opinion was transmitted to members of the Sub-Committee on Belarus of the PACE Political Affairs Committee by an Open Letter dated 21.09.2007 signed by Aaron Rhodes, Executive Director of the IHF and Tatsyana Pratsko, Chair of the Belarusian Helsinki Committee, inviting the Assembly to ask the Venice Commission for an opinion on the conformity of Article 193-1 with the Belarusian Constitution and her international commitments.

Freedom House, The World's Most Repressive Societies 2007 (p. 12)

Belarus

Despite constitutional guarantees that “all religions and faiths shall be equal before the law,” government decrees and registration requirements have increasingly restricted the life and work of religious groups. Amendments in 2002 to the Law on Religions provide for government censorship of religious publications and prevent foreign citizens from leading religious groups. The amendments also place strict limitations on religious groups that have been active in Belarus for fewer than 20 years. The government signed a concordant with the Belarusian Orthodox Church in 2003, and the Church enjoys a privileged position. The authorities forced a Pentecostal pastor to resign from her teaching job when she complained about an Orthodox priest’s lecture to students denouncing “sects” such as Baptists and Pentecostals. In December 2005, the authorities refused to renew the visas of two Polish Catholic priests, including one who had worked in the country for 10 years. For the first time, the authorities imprisoned someone for holding an illegal religious service: on March 3, 2006, a Minsk judge sentenced the pastor of Christ's Covenant Reformed Baptist Church, Gregory Vyazorsky, to 10 days in jail for holding unsanctioned services on February 5. In a positive development, on December 1, 2005, Lukashenka freed all registered religious organizations from paying land taxes.

Nations in Transit 2007 [Freedom House], Belarus Survey, Authored by Vitali Silitski (p. 146)

Religious freedom is restricted in Belarus, as the government regards “nontraditional” denominations as disseminators of unwelcome cultural influences. The Law on Religions adopted in 2002 allows the government to close down any congregation having fewer than 20 members and restrict the activities of religious groups that have settled in Belarus in the past 20 years. Pastor Heorhi Viazouski of the Minsk-based Christ’s Covenant Reformed Baptist Church was sentenced in March to 10 days in prison for conducting religious worship in his own home; this was the first case in over 20 years where religious worship has incurred a prison sentence in Belarus.¹⁸ Siarhej Shaucou, organizer of a Protestant book study group in Minsk, was sentenced to 10 days in jail in March on charges of organizing an “unauthorized meeting,” even though it took place inside a café and did not require official registration. The government also expelled several Polish Catholic priests in 2006, objecting to the placement of foreign clergy in the country.

The New Life Protestant Church in Minsk, deregistered in 2005, led a massive hunger strike among parishioners who protested the decision of the authorities to confiscate the church’s building, formerly a cattle farm renovated by church members. The hunger strike erupted in October, after the congregation lost its appeal in the Supreme Economic Court, and continued for three weeks, attracting over 200 participants. This was the largest protest of its kind in the history of Belarus. The New Life parishioners scored a small victory three weeks after starting the protest when authorities finally decided to reconsider the case. On a positive note, the procedures for registering certain public associations in Belarus, such as trade unions, were simplified in October 2006.

¹⁸ Geraldine Fagan, Forum 18, March 6, 2006, <http://www.forum18.org>.