

EUROPEAN PARLIAMENT

DELEGATION FOR RELATIONS WITH BELARUS

MEETING - Tuesday, 27 May 2008 - 16h30 - 18h30

ECLJ ORAL STATEMENT

Esteemed Chairman, Members of the Delegation, it is truly an honour to be here today, and in particular to be along side these two men, on the occasion of the deposit of a legal petition challenging the current government in Belarus on fundamental breaches of basic human rights in the areas of freedom of religion, freedom of assembly and freedom of expression.

The situation in Belarus remind me while the iron curtain still shrouded the former Czechoslovakia, Dr. Carnogursky was a fierce advocate of democratic values and of religious freedom, defending religious dissidents against the regime. He tells me that in his final stay in prison, in 1989, he refused to cooperate with the prison guards unless he was given access to a Bible. In an interesting side note, within a month of being released from prison during that term, he became Deputy Prime Minister of Czechoslovakia. This analogy speaks to the power of religious faith, the role people of faith played in the democratization that took place in 1989, and how amazingly quickly socio-political changes can happen with the proper will and organization.

Similarly, the relationship of Lech Walensa and Solidarnos to the Catholic faith, and the tireless role played by Pope John Paul II in promoting change in Poland and beyond, is certainly familiar to many on this Delegation.

This same faith, hope and determination for change is the very essence of what keeps the men beside me going. Despite serious restrictions on their basic freedoms to express their views, these men have devoted their lives to bringing change to Belarus and to a regime which has done all in its power to silence them including placing them in prison for simply exercising basic democratic rights.

At the most fundamental grass roots level, faith inspires hope and change. It brings people of similar intentions together and historically has been the driving force in Europe behind democratic evolution. It is therefore without coincidence that the current Lukashenko government has placed severe and heavy handed restrictions on the ability of people of faith to gather and share their beliefs and to express and disseminate these ideas of hope, change and promise.

It is obvious that the importance of these values and the ability to freely exercise these rights is not lost on this esteemed Delegation, as is evidenced by the impressive and serious response you have undertaken in having this meeting to discuss these issues.

This petition represents the largest such initiative on the issue of religious freedom, freedom of assembly and freedom of expression ever undertaken by such a significant number of the Belarusian people towards the European Parliament. Furthermore, the names and integrity of the main representatives of this petition, people like the men beside me, and of the Association of Independent Journalists of Belarus are certainly familiar to this institution. It is important also to recognize the contributions of Mr. Seviarynets and of Sergei Lukanin, the coordinator of the campaign behind the 50, 400 signatures deposited today with the Parliament, both of whose participation in the campaign resulted in heavy fines levied by the Belarusian State. The deposit of today's petition would also not have been possible without the efforts of two European embassies, one in Belarus and the other in Lithuania, who brought the petition out of Belarus, which would have otherwise been a nearly impossible task.

In Belarus, under the guise of the rule of law, attempts at the free exercise of religion, speech and assembly are being stifled and the voice of change is being silenced. Central to this is the 2002 Law on Freedom of Conscience and Religious Organizations. As this Delegation is well aware, the discriminatory application of this law regarding religious faith is not universal. To a large degree, adherents of traditional Belarusian Orthodoxy have been exempt from the treatment detailed in the legal petition. In this sense, the religious climate in Belarus is much more akin to that of the Russian Federation than to that of Poland, Slovakia or most of the other countries who gained their freedom in 1989.

Beyond the recognized Belarusian Orthodox Church, no other groups remain safe from the heavy handed use of this law and the accompanying police and administrative

forces provided for under the law. What is perhaps most alarming is the increased virulence with which the law has been enforced during past two years. Fines for example, particularly of Protestant groups and individuals, have increased exponentially. Both the pastor and the administrator of New Life Church, an evangelical church in Minsk, have been fined cumulatively over 5000 euros since 2006. The fines stemmed from simply holding religious meetings in their building without prior permission, which was sought repeatedly and denied by the local council. When the fining failed, the government decided it wanted to buy the property, greatly increased in value by this time, for a *de minimus* fee. The situation became slightly better only after New Life organized a mass hunger strike lasting more than 20 days.

2006 also saw for the first time in 20 years a religious leader being sentenced to prison. His only crime was conducting a worship service in his home without prior permission or registration. What is truly unfortunate is that this imprisonment was not and will not be the last such incarceration.

Indoctrination within Belarus is three tiered. First, and most fundamentally religious groups are targeted by fear tactics and by police state-style behavior. The state uses several means to achieve this goal including calling religious leaders or individual believers to the police station for questioning, general harassment and often an official warning as a means of promoting fear in the individual or church. As stated, increasingly frequent and massive fines, far beyond the means of average Belarusians, are being levied against religious groups and their adherents for activities that would be commonplace in most democratic states such as holding prayer meetings or religious gatherings without a permit, even in places such as a coffee shop. Finally, and perhaps most egregiously, the state uses prison terms for many of the same minor offenses for which fines are levied. The scenario given prior, regarding holding a prayer meeting in a coffee shop for example, was grounds for the imprisonment of Belarusian human rights' lawyer Sergei Shatsov.

The second tier of indoctrination is by defaming minority religious groups and movements. The heinousness of this method even includes writing fraudulent materials in state mandated textbooks provided to high school and university students, some examples of which I have here with me today.

Finally, the third tier includes either active promotion of, or, tolerance of religious hatred. Of note is the disturbing increase in anti-Semitic incidences occurring in Belarus in the past two years and the passivity of the State in combating religion based hate crimes. A 2007 Report on Religious Freedoms by the United States government for example notes the sale and distribution of anti-Semitic literature through state press distributors and government agencies. It is therefore not surprising that there has been increased virulence with which anti-Semitic acts such as eight separate attacks on a Jewish memorial in Brest have occurred; which have included in the past two years the setting off of an explosion and arson, without any formal arrests or names of suspects being provided to the public.

Nor has Belarus, when challenged on violations of international law and its treaty obligations, adhered to the international decision making process. A testament to this was the rejection of Belarus of the 2005 decision of the United Nation's Commission on Human Rights in favour of the petitioners, a Minsk based 1000 member congregation who repeatedly had their application for registration rejected while at the same time receiving six warnings for continuing to gather to worship.

Traditional groups like the Catholic Church have also been victim to government interference. In 2006, no less than 12 Catholic priests and nuns had their visas either cancelled or were refused extensions. Deportation of priests is occurring. And the Vice-premier of Belarus, in September 2007 went as far as to suggest that Belarus would cease to renew all foreign religious workers' visas or simply to deport them, which would serve to effectively cripple the Catholic Church in Belarus which relies heavily on Polish clergy. The same building problems facing non-traditional minority religions such as registration problems, building permit refusals and eminent domain issues have also plagued the Catholic Church which has led to several significant protests, candlelight vigils and hunger strikes.

Belarus is becoming increasingly isolated from Europe and increasingly totalitarian. The state has monitored and shown its control over the activities of religious organizations by deploying undercover police officers and different local authorities to infiltrate church services and videotape record them and has increasingly been placing members of churches and church leadership under administrative detention without cause and without production of the necessary warrants or identification documents.

Furthermore, it has become nearly routine to deny visas to perform religious activities and visas to workers of foreign religious organizations, which does damage both to charitable and religious institutions in Belarus but also keeps new ideas and perspectives from entering the country, thus stifling pluralism. Furthermore, no allowances for foreign religious organizations with charitable or missionary aims exists under Belarusian law. As such, charitable organizations like the Salvation Army are unable to exist within the country, and those foreign groups who wish to attempt to exist must do so covertly.

To conclude my statements, I would like again to thank the Delegation for taking an active interest in this very important, and often under-looked area of human rights law. I would also point out that the situation is deteriorating and this decline in rights has no foreseeable end without international intervention. We therefore ask this Delegation to use its diplomatic power to analyze the situation in Belarus, and if it sees appropriate, to bear pressure upon the Lukashenko government to fundamentally change its policies, meeting international obligations with regard to religious freedom, freedom of assembly and freedom of expression.