

BELARUS

Executive Summary

The constitution protects religious freedom, but other laws and policies restrict religious freedom. In practice the government generally enforced these restrictions. The government did not demonstrate a trend toward either improvement or deterioration in respect for and protection of the right to religious freedom. The government selectively and arbitrarily targeted religious groups, which led to self-censorship among members of many religious groups. The government used provisions of the religion law to hinder or prevent activities of groups other than the Belarusian Orthodox Church (BOC), which has special status by virtue of a concordat with the government and at least 12 other agreements with various state agencies. In particular the law restricts the ability of religious organizations to provide religious education and to freely import and distribute religious literature. Authorities harassed and fined members of certain religious groups, especially those the government regarded as bearers of foreign cultural influence or as having a political agenda. Foreign missionaries, clergy, and humanitarian workers affiliated with Protestant churches faced many government imposed obstacles, including deportation and visa refusal or cancellation.

There were reports of societal abuses or discrimination based on religious affiliation, belief, or practice. Many of these reports involved vandalism of religious sites, buildings, and memorials.

The U.S. embassy continued to promote fundamental human rights, including freedom of conscience and religion. U.S. embassy staff maintained regular contact with representatives of various religious groups, attended events hosted by religious groups, visited repressed churches, criticized incidents of anti-Semitism, and monitored and followed up on cases of religious freedom violations.

Section I. Religious Demography

According to a November survey by the state-controlled Information and Analytical Center, approximately 80 percent of citizens belong to the BOC, 10 percent to the Roman Catholic Church, and 2 percent to other religious groups, including Protestant, Muslim, Jewish, and other groups. There are also adherents of the Greek Catholic Church (“Uniate”) and of Orthodox groups other than the BOC. Jewish groups stated that between 30,000 and 40,000 persons are Jewish.

Other registered communities include the Old Believers, Lutherans, Jehovah's Witnesses, Greek Catholics, Apostolic Christians, Hare Krishnas, Baha'is, members of Christ's Church, members of The Church of Jesus Christ of Latter-day Saints (Mormons), members of the Messianic and Reform churches, Presbyterians, Armenian Apostolics, Latin Catholics, and members of St. Jogan Church.

Section II. Status of Government Respect for Religious Freedom

Legal/Policy Framework

The constitution protects religious freedom, but other laws and policies restrict it. The constitution affirms the equality of religions and denominations before the law; however, the law contains 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." The Office of the Plenipotentiary Representative for Religious and Nationality Affairs (OPRRNA) regulates all religious matters.

A 2002 religion law recognizes the determining role of the Orthodox Church in the development of the traditions of the people, as well as the historical importance of groups commonly referred to as traditional faiths, including Catholicism, Judaism, Islam, and evangelical Lutheranism. However, the law does not include newer religious groups and groups such as the Priestless Old Believers and Calvinist churches, which have historical roots in the country dating to the 17th century.

Although the 2002 law provides for religious freedom, it contains restrictive elements. For example, the law bans all religious activity by unregistered groups. The activities of unregistered religious groups are punishable in accordance with the criminal code and penalties range from heavy fines to three years in prison. In addition the law confines the activity of religious communities and associations to areas where they are registered, and establishes complex registration requirements that some communities find difficult to fulfill.

The law establishes three tiers of religious groups: religious communities, religious associations, and national 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 national-level religious

association. National religious associations can be formed only when there are active religious communities in a majority of the country's six regions.

Religious and nonreligious groups by law are not allowed to be registered at residential premises. However, on a case-by-case basis, local authorities may selectively allow religious communities to be registered at private houses, especially in small towns and villages, but such procedures remain cumbersome and arbitrary. Religious communities also are banned from holding services in private homes and frequently are denied the opportunity to rent space for worship.

A religious community must submit a list of its founders' names, places of residence, citizenship, and signatures; copies of its founding statutes; the 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 religion's beliefs also must be submitted.

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 the 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 national associations must be submitted to the OPRRNA.

Some Christian communities maintain that the law severely restricts their activities, suppresses freedom of religion, and legalizes criminal prosecution of individuals for their religious beliefs.

The 2002 law also stipulates that state committees in charge of registration can issue written warnings to religious organizations for violating any law or implementing activities outside of their charters' scope of responsibilities. If the violations enumerated in the written warning are not eliminated within six months or are repeated within one year of the warning, the government has the right to apply to the court to shut the religious organization down. The government can suspend activities of the religious organization until the court has issued its decision. The law does not outline any procedure for the religious organization to appeal the warning or suspension of its activities.

There is no legal basis for restitution of property (including religious property) seized during the Soviet and Nazi periods, and the law restricts the restitution of property being used for cultural or sports purposes.

A 2003 concordat between the BOC and the government provides the BOC with 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, protection of cultural legacies, and security. Although it states that the agreement does not limit the religious freedom 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 Saint Euphrosyne, the patron saint of the country, as its symbol.

The 2002 law requires all religious groups to receive prior governmental approval to import and distribute religious literature.

Only registered national religious associations may apply to the OPRRNA for permission to invite foreign clergy to the country, and permission must be granted before foreign religious workers may serve in local congregations, teach or study at local institutions, participate in charitable work, or expand foreign contacts of religious groups. The OPRRNA has the right to deny requests without explanation.

Approvals for visits by foreign religious workers often involve lengthy and arbitrary bureaucratic processes. An organization inviting foreign clergy must make a written request to the OPRRNA, which then has 30 days to respond. There is no provision for appeals.

The government does not permit foreign missionaries to engage in religious activity outside of their host institutions. Transfers between religious organizations, including parishes, require prior state permission.

Foreign citizens officially in the country for nonreligious work can be reprimanded or expelled if they participate in religious activities. Internal affairs agencies may compel the departure of foreign clergy. In such cases authorities may act

independently or in response to recommendations from other government entities, typically the security service (KGB).

The 2002 law also prevents foreigners from leading religious organizations and denies religious communities the right to establish schools to train clergy.

Homeschooling for religious reasons is not provided for by law and it is permitted only for medical reasons.

Educational institutions can cooperate with registered religious organizations only “with regard for their historic importance and influence on the formation of spiritual, cultural, and state traditions of the Belarusian people,” which in practice refers to traditional faiths, primarily Orthodox. School administrators may invite Orthodox priests to lecture to students, organize tours to Orthodox facilities, and participate in Orthodox festivities, programs, and humanitarian projects.

In April the Education Ministry and the BOC signed a program of cooperation for joint projects for the spiritual and moral education of students based on Orthodox traditions and history. Protestant religious leaders continued to express their concerns that such practices discriminated against children of other faiths.

On September 1, the government adopted procedures for cooperation between religious organizations and educational institutions. Only registered religious organizations that are members of national religious associations can organize religious activities at educational institutions.

While the constitution provides for the right to alternative civilian service, the law does not mention conscientious objectors or provide an implementation of that right. Persons charged with draft evasion face penalties ranging from fines to five years in prison.

The government observes the following religious holidays as national holidays: Orthodox Christmas, Orthodox Easter and Catholic/Protestant (Western) Easter, Radonitsa (Great Tuesday or Easter of the Dead) or Orthodox Remembrance of the Ancestors Day, and Catholic/Protestant (Western) Christmas.

Government Practices

There were reports of abuses of religious freedom, including religious detainees. The government continued to violate the religious rights of members of several

religious groups, but, in contrast to previous years, there was less public reporting and coverage of violations of religious freedom due to self-censorship by religious communities and individual believers. Many stated that their reluctance to report violations was caused by fear of further intimidation and retribution and hope that repression would end if they withheld complaints.

The government often restricted peaceful assembly for religious activities. In November an independent group of Orthodox, Catholic, and Protestant believers complained to the Minsk city prosecutor that security officers prevented them from praying peacefully in downtown Minsk for the release of political prisoners. Officers in plain clothes with no identification dispersed the group a number of times, swore at them, and threatened them with prosecution. On November 17, a court in Minsk sentenced religious activists Alyaksandr Makaev and Alyaksandr Kalyanau, who prayed the day before and were detained, to five days in jail and to a fine of 150,000 rubles (\$50), respectively.

As in the past, the most common government charge against religious leaders was organizing or hosting an unauthorized meeting. The law allows persons to gather to pray in private homes, but it imposes restrictions on holding rituals, rites, or ceremonies in such locations and prior permission from local authorities is required. Protestant and non-BOC Orthodox congregations frequently were fined or warned for operating illegally.

On January 26, the head of the OPRRNA called upon local authorities to closely monitor Protestant communities so they would neither engage in political activities nor use residential or other unauthorized premises for worship. He also claimed that some Catholic priests continued to violate laws and engage in political activities, and he cautioned authorities against selling buildings to religious communities that could be used for what the government deemed to be illegal purposes. Given the almost total lack of political activism arising from religious communities, the real intent of the “monitoring,” which was carried out by obtrusive nonbelievers, was to control and provide a low but persistent level of intimidation and harassment.

On September 20, Baptist Pastor Alyaksei Abramovich was fined 700,000 rubles (\$230) for leading a religious service at his private residence in Zhodzina. On August 14, police and the local chief ideology officer raided the Baptists’ Sunday worship service and confiscated religious literature. After local authorities had repeatedly denied registration applications from the church, the community (which is a member of the unregistered Baptist Council of Churches) decided to hold

worship services anyway. Subsequently authorities subjected the church to harassment, along with other churches of the council, on multiple occasions. Similarly, police raided a Baptist church in Homyel and a congregation in Kastyukovichy in February, and authorities fined a pastor in Homyel 1,050,000 rubles (\$335).

On May 27, the head of the Catholic Church, Archbishop Tadeusz Kondrusiewicz, criticized as “incomprehensible” the Minsk authorities’ arbitrary decision to change the regular route of the annual Corpus Christi procession. Authorities eventually allowed believers to march along the central avenue. Kondrusiewicz criticized authorities for “directly interfering” in the liturgy and “disrespecting” the faithful.

A lawsuit against the Charismatic New Life Church (NLC) remained pending at year’s end. In 2009 a Minsk district court fined NLC Pastor Hancharenka 420,000 rubles (\$138) for denying government officials access to the premises of the NLC, and the church’s appeals to higher courts were unsuccessful. After the community defied the eviction order and banned officials from entering its property, environmental officials charged the community with contaminating the area with petroleum products. In 2010 a Minsk district court fined the NLC 8.75 million rubles (\$2,884) for pollution and ordered it to pay 257 million rubles (\$84,700) in environmental damages and litigation costs. The church’s renewed legal appeals were again unsuccessful. On February 28, the Minsk City Economic Court ordered the NLC to pay the environmental damages before March 7 or the court would freeze the NLC’s assets. The NLC did not comply, but no further court action against the church followed.

On March 26, riot police briefly detained NLC lawyer Syarhey Lukanin for holding a public evangelical service in central Minsk and transported him to a precinct where he was fingerprinted. Police threatened Lukanin with criminal charges for illegal street preaching, but released him three hours later without charge.

The government sometimes engaged in acts of religious insensitivity or intolerance and regularly failed to criticize other perpetrators of such acts. In private conversations, government officials frequently referred to those other than the Orthodox, Catholics, Lutherans, Jews, and Muslims as members of nontraditional religious groups, and frequently used the derogatory term “sect” when referring to such groups, although it is not an official designation.

The government, and especially its ideology officers, targeted and harassed unregistered religious communities. Ideology officers are charged with promoting official state ideology and work at all levels of government and in all state enterprises and institutions. Independent religious experts asserted that authorities increasingly warned unregistered religious communities that they could face criminal liability and up to two years in jail for acting on behalf of unregistered organizations. In the first half of the year, at least eight religious activists, mostly Protestants, received prosecutors' warnings that they could be penalized for unregistered religious activity. For example, in Homyel authorities warned a leader and four members of a local Baptist community who acted on behalf of an unregistered organization. The unregistered community met and worshipped in a private house, distributed religious literature, and openly promoted Protestant beliefs.

Throughout the year, the government monitored peaceful minority religious groups, especially those labeled as foreign or cults. Credible sources reported that state security officers often attended Protestant services to conduct surveillance.

A government decree specifies measures to maintain public order and safety during general public gatherings. Some officials cited the decree as a basis for canceling or refusing to extend agreements with religious groups for the use of their facilities. Throughout the year it remained difficult, particularly for unregistered groups, to rent a public facility and obtain official permission to hold religious services in leased facilities. Protestant communities suffered the most from this decree, because they were less likely to own property and needed to rent public space when their members were too numerous to meet in private homes.

Many religious groups continued to experience problems renting, purchasing, or registering properties to establish places of worship or to build churches, and they experienced difficulty with re-acquiring state controlled religious properties. Groups also encountered difficulty legally converting residential property to religious use.

Several Protestant churches and nontraditional groups were at an impasse, as the government denied permission to convert their properties to religious use because they were not registered, but the groups were unable to register due to the lack of a legal address. For example, local authorities in Barysau, Vileyka, Zhabinka, Lida, Mikashevichy, Maladzechna, Pinsk, and Slonim denied registration to Jehovah's Witnesses because they declared their locations were in private residences. In all cases authorities refused either to designate land plots for temple construction, to

assist with searching for premises for purchase or rent, or to register communities in residential property.

The government did not return buildings (including religious buildings) seized during the Soviet and Nazi periods if the buildings currently were used for sports or cultural activities, or if the government had nowhere to move the current occupants. For example, most of the Jewish community's requests for the return of synagogues, which were in use as theaters, museums, sports complexes, and (in one case) a beer hall, were refused.

Although groups of believers of various denominations held prayers in front of a former Bernardine monastery complex in downtown Minsk, authorities continued to work on converting the complex into a hotel and entertainment center.

By law citizens are allowed to proselytize and may speak freely about their religious beliefs, but in practice authorities often interfered with, and sometimes punished, individuals who proselytized on behalf of registered or unregistered religious groups. Authorities regulated every aspect of proselytizing and distribution of religious literature.

Observers expressed concern that arbitrary application of government visa regulations affected the ability of missionaries to live and work in the country. A number of foreign missionaries, clergy, and charity workers faced government obstacles, including deportation and visa refusal or revocation. These government impediments affected Catholic and Protestant denominations the most, reducing the number of Catholic clergy permitted in the country and limiting the humanitarian and charitable projects of (Western) Protestant churches. For example, in December authorities did not extend religious visas to two Catholic priests serving in the Pinsk and Minsk dioceses, and shortened from one year to three months the period of visa validity for a number of other foreign Catholic priests. Archbishop Kondrusiewicz expressed his concerns over the situation and stressed that it was yet another point of pressure from the government.

Authorities frequently questioned foreign missionaries and humanitarian workers, as well as the local citizens who worked with them, about the sources and uses of their funding. There also were credible reports that security personnel followed foreign workers and monitored services led or attended by foreign workers.

The government arbitrarily applied a variety of laws and regulations against religious leaders. For example, officers of the regional department of financial

investigations summoned Catholic priest Vyachaslau Barok in Rasony on December 29. An anonymous report alleged that Barok engaged in an illegal tourist business. The claims stemmed from Barok's frequent foreign religious pilgrimages organized by his parish; however, the government did not bring charges against him by year's end. In another case, in July Archpriest Ihar Prylepsi, a leader of the Orthodox community of St. Apostles Peter and Paul in a village near the town of Vyaleika, was fined 700,000 rubles (\$230) for refusing to be fingerprinted and disobeying police orders.

The government continued to require students to use textbooks that promoted religious intolerance, especially toward nontraditional religious groups. Leaders of Protestant communities criticized language in one textbook as discriminating against Protestants. One chapter included a paragraph labeling groups such as Seventh-day Adventists, the Church of Maria, the White Brotherhood, and Jehovah's Witnesses with the derogatory term "sects." The Ministry of Education continued to use another textbook that labeled certain Protestant denominations and Hare Krishnas as sects. The government made no changes to these books despite the Protestant communities' requests that they be changed.

Improvements and Positive Developments in Respect for Religious Freedom

In November authorities and a number of state-run enterprises in Barysau assisted the local Jewish community in renovating a memorial installed at the site of the execution of Barysau ghetto prisoners.

Section III. Status of Societal Respect for Religious Freedom

There were reports of societal abuses or discrimination based on religious affiliation, belief, or practice. Anti-Semitism and negative attitudes toward minority religious groups persisted, although incidents declined compared with previous years. Neo-Nazis were widely believed to be behind vandalism, particularly targeting Jewish sites, and engaged in activities promoting religious intolerance and ethnic discord. In November a recently renovated synagogue in Babruisk was vandalized two times within a week. Vandals broke windows; painted swastikas and anti-Semitic graffiti, including "death to Jews," on the walls; and damaged the fence of the synagogue. Community members called the incident "humiliating" and "barbaric." Police failed to identify the vandals.

In December the international nongovernmental organization (NGO) Advocates Europe, the local cultural and educational NGO Ekumena, and the Center for

Research of Modern Religiousness held a successful two-day international conference that brought together scholars, religious leaders of various denominations, independent experts, and advocates from Europe, Russia, and Belarus to discuss religious freedom in the framework of the ecumenical movement and the robust dialogue between society and religious communities. Although independent groups and religious rights advocates, including from Protestant communities, organized the conference, the government did not impede their discussions or interfere in any way.

In August authorities reported that police in Rechytsa apprehended two suspects in May's attack on the city's Jewish cemetery that left 14 tombstones and a Holocaust memorial damaged. A district court sentenced the two vandals to a year and a half of partial house arrest.

Authorities only sporadically or ineffectively investigated anti-Semitic acts. Neo-Nazi activity, which authorities typically characterized as hooliganism, also occurred.

The official BOC website continued to honor Hauriyil Belastoksky, a young child allegedly killed by Jews near Hrodna in 1690, as one of its saints and martyrs. A memorial prayer to be said on the anniversary of his death alleges that the "martyred and courageous Hauriyil exposed Jewish dishonesty."

Historically, the country has been an area of both interaction and conflict between Belarusian Orthodoxy and Roman Catholicism, although relations between the two groups continued to improve, according to members of both groups.

Section IV. U.S. Government Policy

Embassy staff maintained regular contact with representatives of religious groups and met with resident and visiting U.S. citizens of various affiliations to discuss religious freedom issues in the country.

Embassy officials attended several events hosted by religious groups, including the unveiling of religious monuments. Embassy officers visited the New Life church to follow up on reports of continued harassment and pressure on the Protestant community.

The U.S. government criticized incidents of anti-Semitism and took action to help prevent future acts, including following up on reports of desecrated Jewish

synagogues and memorial sites. The embassy monitored the sale of anti-Semitic and xenophobic literature in stores and state media distributors. Political officers discussed religious restrictions in the country with religious freedom campaigners, religious lawyers, and activists who coordinate the For Freedom of Religion initiative (an unregistered group of civil society activists who promote religious tolerance and religious freedom).

Embassy officials discussed religious freedom issues with representatives of other foreign diplomatic missions to demonstrate solidarity in their support for religious freedom.