

BELARUS 2012 INTERNATIONAL RELIGIOUS FREEDOM REPORT

Executive Summary

The constitution protects religious freedom, but other laws and policies restrict religious freedom. In practice the government enforced these restrictions. The trend in the government's respect for religious freedom did not change significantly during the year. The government selectively and arbitrarily targeted religious groups, which led to self-censorship among many members. The government used provisions of the religion law to hinder or prevent activities of groups other than the Belarusian Orthodox Church (BOC). The law restricts the ability of religious groups to provide religious education and to import freely 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 and the Roman Catholic Church faced numerous obstacles, including deportation and visa refusal or cancellation.

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

The U.S. embassy continued to promote religious freedom. U.S. embassy staff maintained regular contact with representatives of religious groups, attended events hosted by religious groups, visited repressed churches, acted against incidents of anti-Semitism, and monitored and followed up on cases of religious freedom violations.

Section I. Religious Demography

According to the National Statistics Committee, the population is 9.5 million. There are no authoritative figures on religious affiliation. The National Academy of Science reports that 57.3 percent of the population belongs to the BOC, 34.5 percent to the Roman Catholic Church, and 3.1 percent to Protestant groups, based on a poll of those who regularly attend worship services. However, according to a 2011 survey by the Information and Analytical Center of the Presidential Administration, approximately 80 percent of citizens belong to the BOC, 10 percent to the Roman Catholic Church, and 2 percent to other religious groups. Smaller religious groups include Muslims, Jews, Greek Catholics ("Uniates"), and

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Orthodox groups other than the BOC. Jewish groups state that between 30,000 and 40,000 persons are Jewish. Other registered groups include the Old Believers, Lutherans, Jehovah's Witnesses, Apostolic Christians, Hare Krishnas, Bahais, The Church of Jesus Christ of Latter-day Saints (Mormons), Messianic and Reform churches, Presbyterians, Armenian Apostolics, Latin Catholics, and members of Christ's Church and the 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 stipulates that cooperation between the state and religious groups "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 religious groups commonly referred to as "traditional" faiths, composed of Catholicism, Judaism, Islam, and evangelical Lutheranism. The law does not include newer religious groups or groups such as the Priestless Old Believers and Calvinist churches, which have historical roots in the country dating to the 17th century.

The law bans all religious activity by unregistered groups, and subjects group members to penalties ranging from heavy fines to three years in prison. The law confines the activities of religious communities and associations to areas where they are registered and establishes complex registration requirements that some groups find difficult to fulfill.

The law establishes three tiers of religious groups: religious communities, religious associations, and national religious associations. Religious communities 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

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associations can be formed only when there are active religious communities in at least four of the country's six regions.

To register, 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. A religious group not previously known to the government must also submit information about its beliefs.

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.

Neither the civil nor the housing code permits religious groups to be registered at residential premises. A loophole in the housing code allows religious communities to be registered at private houses with the permission of local authorities; however, this procedure is not a right and remains cumbersome and arbitrary in practice. The law does not permit religious groups to hold services in private homes without prior permission from local authorities.

The law also permits state committees in charge of registration to issue written warnings to a registered religious group for violating any law or implementing activities outside its charter's scope of responsibilities. The government may apply to the court to shut down the group if it has not ceased the illegal activity enumerated in the written warning within six months or if the activity is repeated within one year of the warning. The government can suspend activities of the religious group pending the court's decision. The law contains no provision for appeal of the warning or suspension.

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

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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 also serves as the framework for at least 12 other agreements between the BOC and various state agencies. The concordat recognizes the BOC's "influence on the formation of spiritual, cultural, and national traditions of the Belarusian people." 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 "pseudo religious 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 country's patron saint, as its symbol.

The 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, through a lengthy bureaucratic process, for permission to invite foreign clergy to the country. The OPRRNA must grant permission 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 30 days to respond to requests, and may deny requests without explanation. There is no provision for appeals.

The government does not permit foreign missionaries to engage in religious activity outside their host institutions. Transfers of foreign clergy between religious groups, including parishes, require prior state permission. By law, foreigners may not lead religious groups.

The authorities may reprimand or expel foreign citizens officially in the country for nonreligious work 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.

The law does not permit religious communities to establish schools to train clergy, although associations and national associations may do so.

The law does not provide for homeschooling for religious reasons.

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Educational institutions can cooperate with registered religious groups 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 the BOC. School administrators may invite BOC priests to lecture to students, organize tours to BOC facilities, and participate in BOC festivities, programs, and humanitarian projects. A program of cooperation between the Ministry of Education and the BOC calls for joint projects for the spiritual and moral education of students based on BOC traditions and history.

The government permits only registered religious groups that are members of national religious associations to organize extracurricular religious activities at educational institutions. The national religious association must first conclude an agreement on cooperation with the Ministry of Education. Students who wish to participate in voluntary “moral, civic, and patriotic education” in collaboration with religious groups must either provide a written statement expressing their desire to participate or secure their legal guardians’ approval. According to official procedures, “such education shall raise awareness among the youth against any religious groups whose activities are aimed at undermining Belarus’ sovereignty, civic accord, and constitutional system or at violating human rights and freedoms.” The law prohibits religious groups from conducting activities anonymously in schools. It also prohibits visits from representatives of foreign religious groups; missionary activities; collections of donations or fees from students for religious groups or any charity; distribution of religious literature, audio, video, and other religious materials; holding prayer services religious rituals, rites, or ceremonies; and placing religious symbols or paraphernalia at educational institutions.

While the constitution provides for the right to alternative civilian service, the law makes no provision for conscientious objectors. 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 or Orthodox Remembrance of Ancestors Day, and Catholic/Protestant (Western) Christmas.

Government Practices

There were reports of abuses of religious freedom, including reports of detention, and the government imposed numerous restrictions that affected members of

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minority religious groups. Members of religious groups reportedly continued to be reluctant to report abuses and restrictions, fearing intimidation and retribution.

On February 8, approximately a dozen riot police entered the home of Antoni Bokun, pastor of the St. John the Baptist evangelical community in Minsk, and dispersed a group of approximately 50 people gathered for dinner and Bible study. The police did not produce a search warrant. They detained 33 adults for three hours for an alleged ID check, subsequently releasing all without charge. Police asserted that they acted on the basis of an anonymous phone call claiming the residence housed drug production facilities. Members of the religious community reported that neighbors had reported a “gathering of a sect” to authorities.

Some Christian groups stated that registration requirements severely restricted their activities, suppressed freedom of religion, and legalized criminal prosecution of individuals for their religious beliefs. A number of local authorities continued to refuse to negotiate registration agreements with Jehovah’s Witnesses groups.

The government continued to charge religious group leaders with violating the legal prohibition on organizing or hosting unauthorized meetings, especially in private homes. Authorities frequently fined or issued written warnings to Protestant and non-BOC Orthodox congregations for operating illegally.

On April 1, police in Rahachou disrupted a religious meeting held in the private home of Nina Volchkova, a local Jehovah’s Witnesses community leader, where 37 people were present. Police searched those present and confiscated their religious literature. While Volchkova was facing charges of improper use of residential premises, the community applied for permission from the authorities for non-residential premises to hold religious meetings. Owners of several vacant premises reportedly refused to rent to the community under pressure from the local authorities. Ultimately, authorities issued temporary permits to hold religious meetings in Volchkova’s home from August 1 to December 31. Although the Rahachou Jehovah’s Witness community is legally registered, local authorities have denied its requests to obtain land to construct worship facilities or to rent such facilities in the city. In February authorities in Svetlahorsk again refused a request from the local Jehovah’s Witnesses to build or rent space for religious meetings, citing the lack of “premises available within the district’s municipal property.”

The authorities continued a freeze on the assets of the Charismatic New Life Church (NLC) and attempted to evict it from its premises. In late November the Supreme Court ordered the NLC to vacate its premises by December 5. The group

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held around-the-clock vigils and continued to use the space for religious purposes. Local housing authorities dropped their claims on December 4 and terminated court proceedings, but the group was still unable to obtain proof of ownership. The asset freeze resulted from a court-ordered fine and damage costs imposed in 2010 over alleged environmental contamination. The NLC's renewed efforts to challenge the judgment were unsuccessful.

Authorities at times denied clergy visits to members of the democratic opposition and human rights and civil society groups who were incarcerated for political reasons. When such visits were granted, prison authorities closely monitored meetings and private conversations, and in one case attempted to use the monitored conversation to force a prisoner to end a hunger strike.

Government "ideology officers" charged with promoting the official state ideology continued to target and harass unregistered religious groups, including by monitoring the activities of members in their workplaces.

Authorities reportedly often warned unregistered religious groups that they could face criminal liability and their leaders could be imprisoned for up to two years for acting on behalf of unregistered groups. On June 1, a deputy prosecutor of the Mazyr district delivered a warning to Zoya Suzko, a member of the local Jesus Christ Full Evangelical Christian Church, stating that she could face criminal charges for acting on behalf of an unregistered group. In addition, the warning stated that Suzko could face criminal charges for intentionally inciting racial, national, or religious hatred. Suzko unsuccessfully appealed the warning, arguing that the religious group had already discussed registration procedures and organizational matters including a charter, and had elected leaders. At year's end, Suzko had not been formally charged with any offenses.

The government continued to monitor minority religious groups, especially those it labeled "foreign" or "cults." State security officers reportedly often attended Protestant services to conduct surveillance, which group members described as intimidation and harassment.

Many religious groups continued to experience problems renting, purchasing, or registering properties to establish places of worship. Converting residential property to religious use was also difficult. They also encountered obstacles to regaining ownership of religious properties confiscated during the Soviet period.

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Some local government officials cancelled or refused to extend leases at properties where religious groups conducted services, citing a decree to maintain public order and safety during public gatherings. Renting a public facility to hold religious services, particularly for unregistered groups, also remained difficult. Protestant groups were most severely affected, because they were less likely to own property and their private homes were too small to accommodate their numbers. In January at least three Protestant groups in Minsk were notified on short notice that their leases were terminated after authorities pressured the owners.

The government denied permission to several unregistered Protestant and nontraditional groups to convert their properties to religious use, on the grounds that the groups were not registered. The groups were unable to register due to the lack of a legal address. Local authorities in Barysau, Vileyka, Zhabinka, Lida, Mikashevichy, Maladzechna, Pinsk, and Slonim denied registration to Jehovah's Witnesses because the groups met in private residences. In all cases authorities refused either to designate land plots for new construction, to assist with searching for premises for purchase or rent, or to register groups operating in residential properties. In January authorities in Hrodna asked a Jehovah's Witnesses group in the town of Lida seeking to rent a building to prove it had a legal address in order to register. After the group submitted the required document, the building's owner, under pressure from local authorities, refused to rent it. The authorities denied registration to the group, as they had done in previous years.

The government did not return buildings, including religious buildings, seized during the Soviet and Nazi periods if the buildings were in use for sports or cultural activities or if the government had nowhere to move the occupants.

Authorities regulated every aspect of proselytizing and distribution of religious literature. On July 11, the OPRRNA prohibited the Jehovah's Witnesses from importing and distributing copies of the May 1 issue of *The Watchtower* magazine, citing political content. Following a request to the OPRRNA's "Expert Council" for the reason behind the rejection, an OPRRNA official stated in late December that the issue contained unacceptable political content and there was no basis for challenging the decision.

The inconsistent application of government visa regulations affected the ability of missionaries to live and work in the country. The authorities deported and refused or revoked visas for a number of foreign missionaries, clergy, and charity workers. This reduced the number of Catholic clergy permitted in the country and limited the humanitarian and charitable projects of foreign-origin Protestant groups. For

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example, in January and February authorities shortened the visa validity for at least 18 Polish Catholic priests from the regular one year to six or three months. The OPRRNA stated the action was based on complaints from Catholics about foreign priests' lack of knowledge of the Russian or Belarusian languages. However, credible sources noted that in the western region of the country small Catholic communities often were fluent in Polish. The head of the Roman Catholic Church in the country expressed concern about additional government pressure.

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. Security personnel reportedly monitored religious services led or attended by foreign workers.

Authorities only sporadically or ineffectively investigated anti-Semitic acts. They typically characterized neo-Nazi activity as hooliganism.

The government arbitrarily applied a variety of laws and regulations against religious leaders. In July authorities fined Archpriest Ihar Prylepski, a leader of the Orthodox community of St. Apostles Peter and Paul in a village near the town of Vyaleika, 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 toward nontraditional religious groups. Leaders of Protestant communities criticized the language in one textbook as discriminatory. One chapter included language labeling groups such as Seventh-day Adventists, the Church of Maria, the White Brotherhood, and Jehovah's Witnesses with the derogatory term "sects." Another textbook also labeled certain Protestant denominations and Hare Krishnas as "sects." The government made no changes to these textbooks despite requests from Protestant groups.

Improvements and Positive Developments in Respect for Religious Freedom

Authorities allowed Jehovah's Witnesses to hold a three-day convention in Minsk in July. Over 7,500 members from across the country reportedly attended the convention without official interference.

Section III. Status of Societal Respect for Religious Freedom

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There were reports of societal discrimination based on religious affiliation, belief, or practice. Anti-Semitism and negative attitudes toward minority religious groups persisted.

In March and November, vandals damaged a large memorial complex in Baranavichy commemorating the 1942 killings of 3,000 Jews from the former Czechoslovakia. Police failed to identify the vandals, and local authorities repaired the memorial after the first incident. On November 11, vandals splashed paint on a memorial stone at the entrance to the site of the former Jewish ghetto in Hrodna.

In June vandals painted signs on a former Roman Catholic Jesuit Church in Babruisk that read “Death to the Catholics, Glory to Russia,” “Death to the Jesuits,” and “The Jewish tribe must be crucified.” In response to an inquiry from the unregistered Belarusian Christian Democracy Party, local authorities did not characterize this as “graffiti that incited violence.” Police reported later that they could not identify the vandals.

The BOC continued to honor Hauryl Belastoksky, a young child allegedly killed by Jews near Hrodna in 1690, as one of its saints and martyrs. A memorial prayer used on the anniversary of his death alleged that the “martyred and courageous Hauryl exposed Jewish dishonesty.”

Relations between the BOC and the Roman Catholic Church continued to improve, according to members of both groups. Examples of increased cooperation included joint religious services and conferences.

Section IV. U.S. Government Policy

The U.S. charge d’affaires and embassy staff maintained regular contact with representatives of religious groups.

Embassy officials attended several events hosted by religious groups, including the unveiling of religious monuments. Embassy officers visited the New Life church at least three times during the year to follow up on reports of continued harassment and pressure.

The U.S. government took action to help prevent acts of anti-Semitism, 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. Embassy officers discussed religious restrictions with

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religious freedom campaigners, lawyers for religious groups, and activists who coordinate the For Freedom of Religion initiative, a group of civil society activists promoting religious tolerance which has been denied registration by the government.

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