

BELARUS 2014 INTERNATIONAL RELIGIOUS FREEDOM REPORT

Executive Summary

The constitution grants individuals freedom of religion but prohibits religious activities directed “against the sovereignty of the Republic of Belarus, its constitutional system, and civic harmony.” The government selectively and arbitrarily applied religion laws, denying registration to minority religious groups deemed to be non-traditional, such as Jehovah’s Witnesses and Buddhists. Authorities detained, fined, and harassed members of unregistered religious communities. Authorities limited the ability of groups to obtain or convert property for religious use; tightly regulated all aspects of proselytizing and the import and distribution of religious literature; and enforced visa regulations to limit foreign missionary activities, particularly affecting the large number of Polish priests serving at local Roman Catholic churches. Many communities were reluctant to report abuses and restrictions, fearing intimidation and retribution.

There were reports of anti-Semitic graffiti and vandalism, but Jewish community leaders reported incidents of anti-Semitism were in decline from previous years. The Patriarchal Exarch of the Belarusian Orthodox Church (BOC) made statements warning BOC members against interacting with Jehovah’s Witnesses and discussing theology with the members of other religions.

The U.S. Charge d’Affaires and visiting U.S. officials met with the Office of the Plenipotentiary Representative for Religious and Nationality Affairs (OPRRNA) to discuss issues of religious freedom, national minorities, and preservation of religious heritage sites. Embassy officials and an official from the Department of State visited the New Life Church (NLC) to follow up on reports of harassment. Embassy officials discussed government restrictions with religious freedom campaigners and advocates.

Section I. Religious Demography

The U.S. government estimates the total population at 9.6 million (July 2014 estimate). There are no authoritative statistics on religious affiliation. According to a March-April 2013 survey by the private Zerkalo-Info Sociological Center, approximately 68 percent of citizens belong to the BOC, 14 percent to the Roman Catholic Church, and 3 percent to other religious groups. Smaller religious groups include Protestants, Muslims, Jews, Greek Catholics (“Uniates”), and Orthodox groups other than the BOC. Jewish groups state between 30,000 and 40,000

BELARUS

persons are Jewish. Other registered groups include the Old Believers (both priestly and priestless), Lutherans, Jehovah's Witnesses, Apostolic Christians, Hare Krishnas, Bahais, The Church of Jesus Christ of Latter-day Saints (Mormons), Messianic and Reformed 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 Framework

The constitution grants individuals the freedom to profess any religious beliefs and to participate in the performance of acts of worship not prohibited by law. The constitution states relations between the state and religious organizations shall be regulated by the law "with regard to their influences on the formation of the spiritual, cultural, and state traditions of the Belarusian people." Activities are prohibited that are directed "against the sovereignty of the Republic of Belarus, its constitutional system, and civic harmony," or involve a violation of civil rights and liberties or "impede the execution of state, public, and family duties" by its citizens, or are detrimental to public health and morality.

OPRRNA regulates all religious matters.

The 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: 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 two years in prison. The law confines the activities of religious communities and associations to areas where they are registered and establishes complex registration requirements some groups find difficult to fulfill, including size minimums and access to facilities designated for religious use.

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 one or several

BELARUS

adjoining 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 at least four of the country's six regions.

To register, a religious community must submit an official application for registration; 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 and municipal authorities (for groups outside of Minsk) or the Minsk city authorities 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 an official application for registration, a copy of the founding statutes, 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 and organize cloistered and monastic communities. All applications to establish associations and national associations must be submitted to OPRRNA, which has 30 days to respond.

The housing code permits religious groups to register at residential premises if the local authorities grant permission. The local authorities must certify the premises comply with a number of regulations, including fire safety, sanitary, and health code requirements. Such permission, however, is not granted automatically, and the law does not permit religious groups to hold services in private homes or apartments without prior permission from local authorities.

The law permits state agencies in charge of registration to issue written warnings to a registered religious group for violating any law or undertaking activities outside the scope of responsibilities in the group's charter. The government may apply to a relevant court, depending upon jurisdiction, to shut down the group if it has not ceased the illegal activity outlined 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.

BELARUS

There is no legal basis for restitution of property, including religious property, seized during the Soviet and Nazi periods. The law on religion restricts the restitution of property previously transformed for use 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 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 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 as its symbol the double-barred image of the Cross of Saint Euphrosyne, the country's patron saint.

The law requires all religious groups to receive prior governmental approval to import and distribute religious literature. The approval process includes official examination of the documents under consideration by religious studies experts.

Only registered national religious associations may apply to OPRR for permission to invite foreign clergy to the country. OPRR must grant permission before foreign religious workers may serve in local congregations, teach or study at local institutions, or participate in charitable work for a period of one year, which can be reduced or extended. OPRR has 30 days to respond to requests, and may deny requests without explanation. There is no provision for appeals.

By law 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. Law enforcement agencies may compel the departure of foreign clergy. In such cases, authorities may act independently or in response to recommendations from other government entities, such as the security service.

BELARUS

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.

The law only permits registered religious groups that are members of national religious associations to organize extracurricular religious activities at educational institutions. The law states the national religious association must first conclude an agreement on cooperation with the Ministry of Education (MOE), and 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 the law, “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.

Government Practices

The government continued to deny registration to minority religious groups, detained and fined religious leaders for engaging in unregistered religious activities, and surveilled and harassed members of minority and unregistered religious groups. Except for the BOC and the Roman Catholic Church, religious groups had difficulties obtaining buildings for worship, distributing religious literature, and proselytizing. The government failed to provide access to prisoners for clergy of some religious groups. Authorities used visa regulations to limit the number and length of stay of foreign missionaries.

BELARUS

The case against Catholic priest Uladislau Lazar for high treason remained unresolved. Lazar had been arrested in 2013 for allegedly handing money and material valuables to an individual accused of spying for a foreign state. After months in prison, he was released from custody late in 2013, but placed under house arrest with a ban on travel. Despite this house arrest and travel ban, the Catholic Church was able to post him to the town of Vileika and later to move him to the village of Kamen, where he remained as of the end of the year. He and others involved in his case refused to make any comments about the case pursuant to a non-disclosure agreement. Neither the Catholic Church nor the Committee for State Security (KGB) released any information about the case. As of December, the government had not brought the case to trial.

Jehovah's Witnesses officials reported eight cases where police detained members of the community who were proselytizing. In one of these cases, police detained two foreign Witnesses, both women, in Dragichyn on August 7, and on August 8 a local district court ruled they had violated the law on mass gatherings and pickets. On October 9, the regional court upheld this decision and ruled foreign citizens did not "have the right to express their religious beliefs in public" without prior permission from authorities.

Authorities continued to delay granting clergy permission to visit members of the democratic opposition and human rights and civil society groups incarcerated for political reasons. When such visits were granted, prison authorities closely monitored meetings, private conversations, and religious confessions. According to the religious monitoring group Forum 18, Protestant pastors reported difficulties in accessing prisoners, and imams were never allowed to visit Muslim prisoners. A senior official in charge of prison management told Forum 18 access was "only possible for Orthodox and Catholic priests" as other religions had "a negative influence over the inmates."

Some Christian groups stated the registration requirements for religious groups 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, particularly in Pinsk, Barysau, Navalukaml, and Lida. Authorities also continued to refuse registration to several Buddhist communities.

Jehovah's Witnesses reported three cases of law enforcement officials interrupting religious meetings without bringing charges against any congregation members.

BELARUS

Nontraditional religious groups said the procedure for registering residential premises remained cumbersome and arbitrary in practice. The government continued to charge religious group leaders with violating the legal prohibition on organizing or hosting unauthorized meetings, especially in private homes. Authorities fined or issued written warnings to Protestant and non-BOC Orthodox congregations for operating illegally.

On January 28, three community leaders were charged with organizing an unsanctioned service, and a local court fined them up to 3.25 million rubles (\$236) for a 2013 event where 10 police officers had entered a private home and interrupted a pre-Christmas service of the local unregistered evangelical Christian Baptist community in Homyel. Police confiscated a Bible, wrote down names of all members of the church, and selectively interrogated a number of them. In a separate hearing on January 30, the court fined the home owner 1.3 million rubles (\$94) for improper use of residential property. The four Baptists appealed their fines; however, courts rejected the appeals in February.

Authorities in Homyel approved one application for permission to use private homes for religious activities by Jehovah's Witnesses, while authorities denied similar applications in Mahilyou, Ragachou, Babruisk, and Baranavichy.

Vyachaslau Hancharenka, senior pastor of the charismatic NLC, succeeded in obtaining a meeting with a representative of the Minsk city government, but reported no progress on the freeze placed on the assets of the NLC since 2010. The city did not renew attempts to evict the church from its premises. The NLC continued to use the space for religious purposes but was still unable to obtain proof of ownership from authorities and still had no access to electricity.

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

While reports of fines for activity by unregistered religious groups were isolated, many unregistered communities stated they kept out of public sight because of what they believed to be government hostility and because they could face criminal liability and their leaders could be imprisoned for up to two years.

On February 7, authorities deregistered the charitable organization established by Catholic layman Alyaksei Shchadrou to shelter homeless persons in the Hrodna region following frequent visits and inspections by local police, tax authorities, and

BELARUS

fire department and sanitary inspection officers. Shchadrou had been charged in 2013 with establishing and leading an unregistered religious organization and with setting up facilities for religious services by establishing his shelter. Those charges were dropped once Shchadrou registered his shelter as a charitable organization.

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

The media reported police stopped and searched several Jehovah’s Witnesses for preaching in public venues in various localities across the country during the year.

Authorities allowed Jehovah’s Witnesses to hold a convention in Minsk in July. Thousands of members from across the country reportedly attended the fourth state-approved convention without official interference. The community’s leaders reported that local officials denied requests for conventions to be held in September and October in Minsk, Mahilyou, Homyel, Vitsebsk, Navapolatsk, and Hrodna.

Religious groups, especially Protestants, said they remained cautious about proselytizing and distributing material due to the general atmosphere of intimidation, fear of retribution, and other possible limitations. Regional and municipal authorities in a few cities issued warning letters to Jehovah’s Witnesses who reported the letters demanded they cease their religious activity and discussions about the Bible.

On May 17, police briefly detained several individuals engaged in prayer, including Leanid Akalovich, a priest who had come to the Theological Institute to lay flowers at a memorial honoring the leader of the early 20th century local Autocephalous Orthodox Church in central Minsk. Police released all without charge.

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. Renting a public facility to hold religious services, particularly for unregistered groups, also remained difficult. Protestant groups were most severely affected; they were less likely to own property and their private homes were too small to accommodate their numbers.

BELARUS

Groups also encountered obstacles to regaining ownership of religious properties confiscated during the Soviet period. The government continued its policy of not returning buildings, including religious buildings, seized during the Soviet and Nazi periods if those buildings were in use for sports or cultural activities, or if the government had no place to move the occupants. The government did not offer compensation for the seized buildings. OPRRNA continued to raise concerns about the BOC failing to maintain its religious buildings included in the official list of cultural and historical heritage protection sites. In particular, OPRRNA cited cases of illegal renovation, abandonment of dilapidated wooden churches, and construction of new buildings next to derelict churches by the BOC.

Local authorities continued to make decisions on returning property, mostly to Catholic and Orthodox churches, based on requests from local religious communities. There were some cases where local authorities were willing to return former Jewish property but there was no organized community or funds available to maintain the buildings.

In practice the right of educational institutions to cooperate with registered religious groups was limited to the BOC, which was the only religious group to sign a concordat with the government. School administrators had the authority to invite BOC priests to lecture to students, organize tours of BOC facilities, and participate in BOC festivities, programs, and humanitarian projects. A program of cooperation between the MOE and the BOC provided for joint projects for the spiritual and moral education of students based on BOC traditions and history.

The government continued to require students to use textbooks which representatives of nontraditional religious groups said promoted intolerance toward them. Leaders of Protestant communities said the language in one textbook was discriminatory, citing one chapter labeling groups such as Seventh-day Adventists, the Church of Maria, the White Brotherhood, and Jehovah's Witnesses as "sects." Another textbook also labeled certain Protestant denominations and Hare Krishna as "sects." The government made no changes to these textbooks despite requests from Protestant groups.

Religious groups continued to say the government's inconsistent application of visa regulations affected the ability of missionaries to live and work in the country, especially Catholic clergy, and limited humanitarian and charitable projects, especially those of foreign Protestant groups. The authorities continued to shorten visa validity from the regular one-year duration to a six- or three-month duration and sometimes refused to extend visas for clergy already working in the country.

BELARUS

Authorities stated their actions were based on complaints from parishioners about foreign priests' poor knowledge of the Russian or Belarusian languages. Religious freedom activists, however, said in the western region of the country the small Catholic communities were often fluent in Polish.

On September 24, OPRRNA made a public statement at a government meeting expressing its concern to the Catholic Church regarding the continued number of foreign priests practicing in the country rather than locally educated clergy. While welcoming a reduction in the number of foreign priests since 2013, OPRRNA pointed to the fact 126 out of the 430 practicing priests had come from Poland. The government previously had refused permission to Polish priest Roman Schulz to continue to work in a Mahilyou parish after he had been there for seven years, and denied permission to a Franciscan Order priest who had been invited to serve in Ivianets. Catholic Archbishop Tadeusz Kondrusiewicz, the Metropolitan of Minsk-Mahilyou, on April 15, stated authorities gave no explanation for rejecting these two visa applications. After protests by parishioners, the government reversed itself and extended the visa for Father Schulz.

On June 8, President Alyaksandr Lukashenka presided over a groundbreaking ceremony for the construction of a memorial at the site of the Trostenets Nazi death camp complex near Minsk and the laying of a time capsule at the site. Lukashenka stated the memorial "should become a site of pan-European significance," and serve as a vehicle for the memory of the victims, in order to prevent the repetition of similar events. He stated "ideas of xenophobia, dominance, and ethnic intolerance should never triumph." The president of the World Jewish Congress also attended the ceremony.

Protestant communities continued to complain of harassment by the authorities, stating they continued to question 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 also continued to monitor religious services led or attended by foreign workers.

Section III. Status of Societal Respect for Religious Freedom

There were reports of anti-Semitic graffiti or vandalism. Jewish religious leaders stated anti-Semitism and negative attitudes towards minority religious groups continued to decline compared with previous years.

BELARUS

On August 16, the archpriest of Hrodna and Vaukavysk consecrated a new chapel honoring Hauryl Belastoksky, a young child allegedly killed by Jews near Hrodna in 1690, who the BOC continued to honor as one of its saints and martyrs. A memorial prayer used on the anniversary of his death alleged the “martyred and courageous Hauryl exposed Jewish dishonesty.”

Answering questions during a public event on March 8, Metropolitan Pavel, the Patriarchal Exarch of the BOC, called the Jehovah Witnesses “a totalitarian, harmful sect,” said their believers were “legal spies” who were engaged in anti-government subversive activities, and urged the public to report them to the police. He also warned against discussing theology with them or with representatives of other religions not having “systematic theological education.”

On August 14, a priest in Hrodna reported vandals had painted swastikas on several plaques commemorating Jews. The plaques had been installed at an alley of trees planted by participants during the festival of national minorities June 6-8.

On December 28, a rabbi in Homyel reported vandals painted swastikas and anti-Semitic slogans on a Jewish religious and secular community center. Members of the community filed a complaint with the police, and an investigation was ongoing at year’s end.

Relations between the BOC and the Catholic Church continued to improve, according to members of both groups. Examples of increased cooperation included joint religious services and international conferences. On May 13, Metropolitan Pavel said there were “friendly and warm” relations between the two churches.

Section IV. U.S. Government Policy

In April the Charge d’Affaires and visiting U.S. officials met with OPRRNA to discuss issues of religious freedom, national minorities, and religious cultural heritage preservation.

On June 8, the Charge d’Affaires attended the groundbreaking ceremony for the Trostenets death camp memorial. The embassy was present to welcome the commemoration of the Holocaust and to stress U.S. government support for any steps minimizing the recurrence of such events.

BELARUS

In September embassy officers and a visiting official from the Department of State visited the NLC to follow up on reports of harassment and pressure by the authorities.

The Charge d'Affaires and embassy officers maintained regular contact with representatives of religious groups. Embassy representatives raised issues of anti-Semitism and the preservation of Jewish religious heritage with Jewish religious groups and discussed restrictions on registration and operations with Hare Krishnas and Protestant groups.

Embassy officers discussed restrictions on religion with religious freedom activists, religious leaders, lawyers for religious groups, and representatives of the For Freedom of Religion initiative, a group of civil society activists promoting religious tolerance.