

Belarus (88)**2000 Annual Report on International Religious Freedom:****Belarus**

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BELARUS

The Constitution provides for freedom of religion; however, the Government restricts this right in practice. President Alexandr Lukashenko has pursued a deliberate policy of favoring the Russian Orthodox Church as the country's main religion and the Government has increased harassment of some nontraditional or minority religions. Some of these, including many Protestant denominations, the Belarusian Orthodox Autocephalous Church (BOAC), and some eastern religions, repeatedly have been denied registration by the Government. Without registration, many of these groups find it difficult, if not impossible, to rent or purchase property to conduct religious services. Despite continued harassment, minority faiths sometimes have been able to function if they maintain a low profile.

The status of the freedom of religion continued to worsen during the period covered by this report. The Government continued to enforce a 1995 Cabinet of Ministers decree that controls religious workers, in an attempt to protect orthodoxy and curtail the growth of evangelical religions. Most notably, in March 2000 the Government arrested Catholic priest Zbigniew Karoljak, a Polish national who has been ministering in the country for 10 years, for alleged violations of visa regulations and ordered him to depart the country by May 20. Karoljak departed the country in early June, 2000. Some Protestant denominations have been threatened with judicial action by the Government for allowing foreigners to preach in their churches.

After over 70 years of Communism, society remains largely secular in its orientation. There are, for the most part, amicable relations among registered, so-called traditional, religious communities. However, societal anti-Semitism persists, and sentiment critical of minority faiths is rising. The Government has done little to counter the spread of anti-Semitic literature. In May 2000, the Minsk City Court refused to hear an appeal brought by Jewish organizations to stop the publishing and sale of the book "War According to Mean Laws," which, among other anti-Semitic writings, included the "Protocols of the Elders of Zion" and blamed Jews for societal and economic problems in the country. Articles critical of minority faiths also have appeared in state-owned newspapers.

The U.S. Government raised problems of religious freedom with the Government in the context of frequent demarches on the overall poor human rights situation in the country and in specific cases when warranted.

Section I. Government Policies on Freedom of Religion

Legal/Policy Framework

The Constitution provides for freedom of religion; however, the Government restricts this right in practice. Although Article 16 of the 1996 amended Constitution, which resulted from an illegal referendum used by Lukashenko to broaden his powers, reaffirms the equality of religions and denominations before the law, it also contains restrictive language that stipulates that cooperation between the State and religious organizations "is regulated with regard for their influence on the formation of spiritual, cultural, and country traditions of the Belarusian people."

Since his election as the country's president in July 1994, Lukashenko has pursued a deliberate policy of favoring the Orthodox Church as the country's chief religion and harassing other non-Orthodox religions. The Government and the President encourage a greater role for the Orthodox Church, largely as part of an overall strategy to strengthen Slavic unity in the region and promote greater political unification between Belarus and Russia. The President grants the Orthodox Church special financial advantages that other denominations do not enjoy and has declared the preservation and development of Orthodox Christianity a "moral necessity." On April 30, 2000, Lukashenko said on state radio that "nobody will disturb our Orthodoxy" and pledged that the State "will do everything for the Church to be a pillar of support for our State in the future." In December 1999, Lukashenko said that politicians and the Head of State bear responsibility for preserving Christian values, for maintaining religious peace in society, and for harmonious cooperation between the State and the Church. Lukashenko also said that the Church should be more active in promoting the unity of Slavic nations because Slavic integration is in the interests of both the State and the Church. In 1998 Lukashenko pledged state assistance to the Orthodox Church and stressed that Orthodoxy would remain the "main religion."

The Government's State Committee on Religious and National Affairs (SCRNA), which was established in January 1997, appears to categorize religions and denominations. Some are viewed as "traditional," including Russian Orthodoxy, Roman Catholicism, Judaism, and Islam (as practiced by a small community of ethnic Tatars with roots in the country dating back to the 11th century); some are viewed as "nontraditional," including some Protestant and other faiths; and some are viewed as "sects," including Eastern religions and other faiths. The authorities deny permission to register legally at the national level to some faiths considered to be nontraditional, and to all considered to be sects. The Government states that it denies some groups permission to register as religious organizations because their activities "run counter to the Constitution." Without official registration, religious faiths have great difficulty renting or purchasing property in which to establish places of worship, or in openly training clergy. Some religious groups that have not been able to register have had services or religious meetings, which were being conducted peacefully in private homes,

disrupted by police.

While all registered religious organizations enjoy tax-exempt status, any government subsidies appear limited principally to the Orthodox Church.

Religious Demography

Seven decades of religious repression under the Soviet regime have resulted in a culture that is secular in orientation. According to one opinion poll taken during 1998, fewer than half of the population believe in God. Nonetheless, between 60 and 80 percent identify for cultural or historical reasons with the Russian Orthodox Church. The SCRNA indicates that about 80 percent of all believers belong to this Church.

Belarus was designated an Exarchate of the Russian Orthodox Church in 1989, thereby creating the Belarusian Orthodox Church. Patriarchal Exarch Filaret celebrated his 20th anniversary as head of the Orthodox community on October 24, 1998. Under Filaret's leadership, the number of Orthodox parishes scattered throughout the country has grown from approximately 787 to 1,081 during the last 5 years.

During a religious conference held in Minsk on April 22, 1999, Filaret stated that the Orthodox Church does not seek the role of interconfessional leader or to become a state-run church. However, he stressed that the Orthodox Church would cooperate only with religious faiths that have "historical roots" in the country. Filaret also remarked that he was against the "invasion of those foreign religions that corrupt souls."

Situated between Poland and Russia, Belarus historically has been an area of interaction, as well as competition and conflict, between Russian Orthodoxy and Roman Catholicism. Between 8 and 20 percent of the country's population (the second largest religious grouping) are estimated to be either practicing Roman Catholics or to identify themselves with the Roman Catholic Church. Cardinal Kazmierz Swiatek, Archbishop of the Minsk-Mogilev Archdiocese, heads the approximately 400 Roman Catholic parishes.

As a result of its revival during the post-Soviet period, the Roman Catholic Church has experienced a shortage of qualified native clergy. The Church reportedly has had difficulty sometimes getting permission from government authorities to bring in a sufficient number of foreign religious workers, mostly from Poland, to make up for the shortage. According to the independent media, the Lukashenko Government has allowed the Catholic Church to open a seminary and indicated that, in light of this development, foreign priests no longer would be allowed to work in the country; however, this change may not be enforced at the local level, and at least some foreign priests still are allowed to work in the country. Bishops must receive permission from the SCRNA before transferring a foreign priest to another parish.

Roman Catholics traditionally have been associated with the country's ethnic Polish community, which currently numbers at least 400,000 persons. Although Roman Catholic parishes can be found throughout the country, most Roman Catholics reside in areas located in the west, near the border with Poland. Sensitive to the dangers of its being viewed as a "foreign" church or some kind of political threat, Cardinal Swiatek, who himself spent 10 years in a Soviet labor camp, has tried to keep the Roman Catholic Church out of the country's internal political problems. Although the Cardinal has prohibited the display of Polish national symbols in churches and encouraged the use of Belarusian, rather than Polish, in church services, the Government claimed that some churches in western Belarus continue to conduct services in Polish.

It is estimated that approximately 120,000 citizens were considered as ethnic Jews near the end of the Soviet period in 1989. The current Jewish population numbers between 60,000 and 80,000. At least half of the present Jewish population are estimated to live in or near the capital city of Minsk. A majority of the country's Jews are not actively religious. Of those who are, most are believed to be either Reform or Conservative. There is also a small but active Lubavitch-run Orthodox synagogue in Minsk.

Adherents of Protestant faiths, although representing a relatively small percentage of the population, are growing in number. Since 1990 the number of Protestant congregations, registered and unregistered, has increased more than twofold and now totals over 1,000, according to state and independent sources. Protestant faiths, although historically small in comparison with Orthodoxy, have been active in the country for hundreds of years. During the Soviet period, a number of Protestant faiths were placed forcibly under the administrative roof of a joint Pentecostal-Baptist organization. Currently, the two largest Protestant groups fall under separate Pentecostal and Baptist unions. A significant number of Protestant churches, including charismatic and Pentecostal groups, remain unregistered.

There are a number of congregations of the Greek Rite Catholic Church, which was once the majority religion. The Greek Catholic Church was established in the 16th century and once had a membership of approximately three-quarters of the population, until it was banned by the Russian Government in 1839. An attempt following Belarusian independence to revive the Church, which maintains Orthodox rituals but recognizes the Pope as its spiritual leader, so far has met with mixed success. Its emphasis on the use of the Belarusian language, the promotion of which is associated with the opposition Belarusian Popular Front, as well as historical tensions between the Greek Catholic and Orthodox churches, reportedly has caused the Greek Catholic Church to be viewed with suspicion by the Lukashenko Government.

Other minority religious faiths include, but are not limited to, the following: Seventh-Day Adventist; Old Believer; Muslim (the Supreme Administration of Muslims, abolished in 1939, was reestablished in early 1994); Jehovah's Witnesses; Apostolic Christian; Calvinist; and

Lutheran.

The SCRNA claims that 26 religious confessions are registered officially. The significance of this figure is uncertain, however. Some congregations are registered only on a local basis, which entails only limited rights. Only congregations registered nationally are allowed to invite foreign religious workers and open new churches.

Governmental Restrictions on Religious Freedom

The Government denies some minority religious faiths permission to register officially and treats them as sects. In 1998 SCRNA official Vyacheslav Savitskiy announced that "11 destructive religious organizations, which have been denied registration after expert examination, illegally function in the country." In April 1999, a conference organized by the Orthodox Church and Lukashenko's National Assembly discussed the need to introduce legislation to combat "destructive sects" that operate illegally in the country. More recently, the authorities continue to deny repeated attempts by the BOAC to register. Following a raid by local police on a private house where a prayer service was being held, Ivan Spasyuk, a BOAC priest, went on a hunger strike on November 7, 1999 in order to protest the authorities' refusal to register his parish in the Grodno region. On November 28, 1999, at the urging of his family and parishioners, Spasyuk called off the hunger strike. Local courts so far have refused to hear appeals made by the BOAC to overturn the Government's decision not to register their churches. Because of ongoing registration problems, including the inability to register a seminary, the Belarusian Orthodox Autocephalous Church is unable to train a sufficient number of priests to meet the growing needs of its parishioners.

A number of Protestant faiths confront a situation in which they are refused registration because they do not have a legal address, and are refused property that could qualify as a legal address because they are not registered. The Full Gospel Pentecostal churches regularly are refused registration in this way. Article 272 of the Civil Code, which states that property may only be used for religious services once it has been converted from residential use. However, the authorities decline to permit such conversion to unregistered religions. Religious groups that can not register often are forced to meet illegally or in the homes of individual members. Several charismatic and Pentecostal churches have been evicted from property they were renting because they were not registered as religious organizations. A number of nontraditional Protestant and other faiths have not attempted to register because they do not believe that their applications would be approved. The publication of religious literature for unregistered religions likely would be restricted in practice, especially at state-controlled publishing houses. However, there were no reports of restrictions on the importation of religious literature. Government employees are not required to take any kind of religious oath or practice elements of a particular faith. However, the practice of a faith not viewed to be traditional, especially one not permitted to register, could disadvantage possible advancement within the bureaucracy or state sector.

Citizens are not prohibited from proselytizing; however, the Government enforces a July 1995 Council of Ministers decree that controls religious workers in an attempt to protect Orthodoxy and prevent the growth of evangelical religions. A 1997 Council of Ministers directive prohibits teaching religion at youth camps. In February 1999, the Council of Ministers passed Decree No. 280 which expanded upon these earlier regulations. The decree appears to stipulate, among other things, that among foreign religious workers, only male clergy may engage in religious work upon invitation from a religious organization already officially registered, a provision that could be invoked to prohibit female religious clergy, such as Catholic nuns, from engaging in religious activity. However, this provision has not been tested in the courts.

The Government stepped up its efforts to curb the role of foreign clergymen during the period covered by this report. In April 2000, the Council of Ministers introduced changes to its regulations, allowing internal affairs agencies to expel foreign clergymen from the country by not extending their registration or by denying them a temporary stay permit. Under the new regulations, these authorities are allowed to make decisions on expulsion on their own or based on recommendations from religious affairs councils, regional executive committees, or from the Religious Affairs Department of the Minsk City Executive Committee. Appeals to judicial bodies are not provided for.

As part of the Government's efforts to curb the influence of foreign clergy, on March 18, 2000, two law enforcement officials entered the Roman Catholic Church of the Exaltation of the Holy Cross in Brest, during a church service, and arrested Catholic priest Zbigniew Karoljak, a Polish citizen, for allegedly violating visa regulations and charged that his religious work in the country was "illegal." Regional government officials publicly have criticized Karoljak for his "undermining" views. In addition, a court in Brest issued warnings to four supporters of Karoljak for staging an unauthorized demonstration following the priest's arrest. Karoljak departed the country in early June, following warnings from government authorities that he would be removed by force if he did not depart the country.

Foreigners generally are prohibited from preaching or heading churches, at least with respect to what the Government views as nontraditional faiths or sects, which include Protestant groups. Foreign missionaries may not engage in religious activities outside the institutions that invited them. One-year validity, multiple-entry, "spiritual activities" visas, which are required officially of foreign missionaries, can be difficult to get, even for faiths that registered with the Government and have a long history in the country. Foreign clergy or religious workers who do not register with the authorities or who have tried to preach without government approval or without an invitation from, and the permission of, a registered religious organization, have been expelled from the country. Approval often involves a difficult bureaucratic process. According to independent media accounts, in February 2000, the Belarusian pastor of a Pentecostal church was warned by SCRNA

authorities that a public sermon was performed in his church by a citizen of Ukraine, in violation of the law on religion. The pastor was warned that a future violation of the law would lead the SCRNA to request that judicial bodies curtail the activities of that church.

Government officials share societal anti-Semitic attitudes and took a number of actions that indicated hostility or insensitivity toward the Jewish community. In March 2000, a Minsk court dismissed a complaint filed by Jewish organizations against the Orthodox Initiative for publishing an anti-Semitic book, "The War According to Mean Laws" (see Section II). The judge in the case declared that the book contained "scientific information" and, therefore, was not within the jurisdiction of the court. A higher court subsequently upheld the lower court ruling. On April 18, 2000, tax inspectors prohibited the central synagogue of Minsk from distributing matzoh for Passover among members of the Jewish community. The Tax Police informed the synagogue that, in order to distribute the matzoh, the synagogue would need to obtain a special license, register as a taxpayer, and open a store that would meet certain additional requirements, thereby effectively making distribution in time for the Passover celebration impossible. In December 1999, the Supreme Court rejected an appeal by the World Association of Belarusian Jews (WABJ) against the Ministry of Justice's refusal to register the association.

The Government does not require religious instruction in public schools. While individuals may speak freely about their religious beliefs, the authorities would be likely to prevent, interfere with, or punish individuals who proselytize on behalf of a unregistered religion.

Restitution of religious property remained limited during the period covered by this report. A key obstacle is the lack of a legal basis for restitution of property that was seized during the Soviet era and the Nazi occupation. The few returns of property to religious communities have been on an individual and inconsistent basis, and local government authorities in general are reluctant to cooperate on the issue. Over the past several years, the Jewish community has lobbied the Government successfully to return several properties in Minsk and other cities. However, most properties have not been returned. In August 1998, following extensive restoration, the Catholic community reconsecrated a church in Pruzhany that had been shut down by Soviet authorities following World War II. The consecration ceremony was led by the church's former priest who had spent 10 years in prison in Siberia during the Soviet period. The Orthodox Church appears to have had the most success on the issue of property restitution.

Officially sanctioned newspaper attacks on minority faiths also are rising in frequency. For example, on April 19, 2000, the Narodnaya Gazetta, a state-owned and published newspaper, carried an article with the headline "The prospect looms for Belarus to become a Protestant republic, or we are incessantly being urged to deny the faith of our ancestors." The article stated that Protestant groups engage in fanatical rituals, including the ritual use of human blood and human sacrifice. The article claimed that these same Protestant groups threaten Orthodox

priests with physical violence and present a threat to the country, its psychological health, and its security. The article also called on the Government to take steps to protect Orthodoxy. Appeals to the SCRNA by Protestant leaders to halt distribution of the article were unsuccessful. In a similar article in January 2000, the Narodnaya Gazetta criticized the leader of the Belarusian Orthodox Autocephalous Church, Ivan Spasyuk, accusing him of criminal activities and characterized the church as "the spiritual followers of Hitler."

Governmental Abuses of Religious Freedom

In November 1999, local police raided a private house where a BOAC congregation was engaged in a prayer service.

According to eyewitness and media reports, during their March 18, 2000 arrest of Catholic priest Zbigniew Karoljak, a Polish citizen, for allegedly violating visa regulations, two law enforcement officials used excessive force. Karoljak's hands were secured behind his back and he was not allowed to bow before the altar before leaving the church. Karoljak was detained for several hours after his arrest.

Petro Hushcha, the head of a branch of the Belarusian Orthodox Autocephalous Church (BOAC), was originally arrested in 1998 on a criminal charge that some believe to have been politically motivated. Hushcha has been in hiding since December 1998; his whereabouts are unknown.

There was a continued deterioration in the status of respect for religious freedom during the period covered by this report. Restrictive regulations, passed by the Council of Ministers in February 1999, which govern the activities of foreign clergy and religious workers, remain in effect and were implemented routinely.

Except for the detention, for several hours, of Catholic priest Zbigniew Karoljak, there were no reports of religious detainees or prisoners.

Forced Religious Conversions of Minor U.S. Citizens There were no reports of the forced religious conversion of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the Government's refusal to allow such citizens to be returned to the United States.

Section II. Societal Attitudes

There are, for the most part, amicable relations among registered, so-called traditional, religious communities. However sentiment critical of minority faiths is rising.

A number of attacks on Protestant groups, including the beating of a Pentecostal minister in Minsk by a group of skinheads in late winter of 2000, also have been reported. In August 1999, a mosque in Slonim was vandalized, a few days prior to the start of a Tatar youth convention to be held at the mosque. There were no reports of arrests in the April

1999 arson attack on the synagogue in Minsk or in a number of cases of desecration of Jewish cemeteries in 1997 and 1998.

There have been some instances of vandalism that appeared related to societal anti-Semitism. On May 11, 2000, the Minsk city court upheld the dismissal by an inferior court of a suit filed by Jewish organizations and individuals against the authors and publishers of the book "The War According to Mean Laws." The book, published by the Orthodox Initiative and distributed in Orthodox bookstores, includes the "Protocols of the Elders of Zion" and other anti-Semitic articles and blames Belarusian Jews for social and economic problems in the country. A Minsk district court ruled on March 16, 2000 that the book contained "scientific information" and dismissed the suit. The Union of Belarusian Jewish Associations and Communities and the World Association of Belarusian Jews, both of which joined in the suit, consider the book anti-Semitic and punishable under the Criminal Code for inciting religious and ethnic hatred. There has been a noticeable lack of government action in redressing instances of anti-Semitic vandalism in previous years. According to the Anti-Defamation League and the World Jewish Congress, there are a number of small ultra-nationalist organizations on the fringes of society, and a number of newspapers regularly print anti-Semitic material. One of these newspapers, Slavianskaia Gazeta, although distributed locally, reportedly was published in Moscow. The State Committee on the Press issued an official warning in June 1999 to the local newspaper Lichnost for anti-Semitic articles. Anti-Semitic material from Russia also circulates widely.

Many persons in the Jewish community remain concerned that the Lukashenko Government's plans to promote greater unity with Russia may be accompanied by political appeals to groups in Russia that tolerate or promote anti-Semitism. Lukashenko's calls for "Slavic solidarity" are well received and supported by anti-Semitic, neo-Fascist organizations in Russia. For example, the organization, Russian National Unity, has an active local branch. Its literature is distributed in public places in Minsk. The concept of a "Greater Slavic Union," the leadership of which Lukashenko seeks, is a source of concern to the Jewish community given the nature of support that it engenders.

There are several areas of pressing human rights concerns related to increasing political repression, and most local human rights nongovernmental organizations do not focus significant resources on the issue of religious freedom.

Section III. U.S. Government Policy

The U.S. Embassy has raised problems of religious freedom with the Government in the context of frequent demarches on the overall poor human rights situation in the country. On April 13, 2000, the Ambassador sent a letter to the Governor of the Brest Oblast and the Ministry of Foreign Affairs urging a resolution of the conflict concerning Catholic priest Karoljak (see Section I), following a meeting in Brest by the Ambassador with Karoljak's congregation.

Representatives of the U.S. Embassy have had frequent contacts with leaders and members of religious communities throughout the period covered by this report, and have worked with OSCE representatives to promote religious freedom.

In Washington, officials of the Department of State met on a number of occasions with representatives of the Government of Belarus to raise issues in support of religious freedom and other human rights concerns.

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