

**Flygtningenævnets baggrundsmateriale**

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## **OTHER COUNTRIES AND REGIONS MONITORED: BELARUS**

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Through its stifling network of laws and policies, the government of Belarus violates its international human rights commitments on freedom of thought, conscience, and religion or belief. In the past year, religious communities and individuals found in violation of restrictive laws were harassed, raided, and fined, and individuals were detained for short periods but not imprisoned. Therefore, although USCIRF continues to monitor the situation in Belarus, the country does not meet the standard for Tier 2. Belarus was on USCIRF's Watch List since 2003.

### **GOVERNING AND LEGAL FRAMEWORK**

The authoritarian government of President Aleksandr Lukashenko views any independent groups, including religious communities, as a potential challenge to its rule. However, after strong popular support in 2008 and 2012 for petitions seeking reform of the restrictive religion law, the government has decreased its repression of religious groups over the past few years, particularly the country's large Orthodox Christian and Catholic communities. This may be out of concern about driving some believers to political opposition. Other groups, including Protestants and Jehovah's Witnesses, however, continue to encounter official discrimination and foreign religious workers continue to be circumscribed. There also continue to be reports that prisoners are denied access to clergy, particularly in pre-trial detention and even before their executions.

The 2002 religion law bans unregistered religious activity. The criminal code punishes unregistered religious activity by imposing a fine or imprisonment of up to two years. In recent years, however, unregistered activity has been penalized only by administrative fines. The language of two administrative code articles was eased and fines are more rarely imposed.

The religion law gave privileged status to the Belarusian Orthodox Church (BOC) Moscow Patriarchate by recognizing its "definitive role" in Belarusian traditions. It also identifies Catholicism, Judaism, Islam, and Evangelical Lutheranism as "traditional faiths," but ignores the presence of Old Believer and Calvinist churches in Belarus for hundreds of years. In 2003, the government and the BOC signed a concordat setting out cooperation in various fields as part of a joint struggle against the public danger of "pseudo-religious structures." The government usually denies registration to Orthodox churches not linked to the Moscow Patriarchate. It also denies registration to other disfavored groups, particularly Protestants and Jehovah's Witnesses.

### **RESTRICTIONS ON REGISTERED GROUPS AND HARRASSMENT OF UNREGISTERED COMMUNITIES**

The activities of registered religious groups are also restricted, with violations subject to administrative law penalties. Religious groups are not allowed to function outside of their geographic area of registration, and official permission is required but difficult to obtain for private worship services. Registered groups are limited in rights to own or use property for religious purposes, and requests from Protestant churches and other "new" religious communities for property registration are often rejected. Since 1991 the state has returned only nine of 92 synagogues and few historic Lutheran and Calvinist churches seized in Soviet times. Foreign religious workers operate under tight restrictions, such as only working on the premises of registered communities. In visa applications, they must state that they will participate in religious activities or face likely expulsion. The Catholic Church and registered Protestant communities have encountered particular difficulties in this regard.

Authorities harass unregistered religious communities, especially by imposing court-ordered fines. Council of Churches Baptist congregations, which refuse to register for doctrinal reasons, have long been targeted in this manner. In February 2012, police raided a Protestant discussion group in Minsk, perhaps

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because the sponsoring congregation included several political activists. The government also continues to harass and threaten to close the New Life Pentecostal Church in Minsk, as it has done for years.

Religious materials may be published only by religious organizations with 10 registered communities, including at least one community dating back to the Soviet period in 1982, when policies on religion were even more restrictive. The government has sweeping powers to regulate on-line content and usage, requires registration of internationally-hosted Web sites, and maintains an official list of local and international sites it deems offensive.

### **ANTI-SEMITISM**

Government officials, including President Lukashenko, and the state media have made anti-Semitic remarks. The government has not investigated, identified, or punished those responsible for vandalism against Jewish memorials, cemeteries, or other property.