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BELARUS 2013 INTERNATIONAL RELIGIOUS FREEDOM REPORT

Executive Summary

The constitution protects religious freedom, but other laws and policies restrict it. In practice the government enforced these restrictions. The government selectively and arbitrarily targeted some 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 cancelation.

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 churches facing pressure, and monitored and followed up on cases of religious freedom violations and incidents of anti-Semitism.

Section I. Religious Demography

The U.S. government estimates the total population at 9.6 million (July 2013 estimate). There are no authoritative statistics on religious affiliation. According to a March-April 2013 survey by the private Sociological Center Zerkalo-Info, 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 that between 30,000 and 40,000 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

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(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 in practice. 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 one or several 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 a list of its founders' names, places of residence, citizenship, and signatures; copies of its founding statutes; the

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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 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.

A March 2 amendment to the housing code permits religious groups to register at residential premises if the local authorities grant permission. The local authorities must certify that the premises comply with a number of regulations, including fire safety, sanitary, and epidemiological 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 also 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 the court 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.

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 that had been 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

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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 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.

Only registered national religious associations may apply to the OPRRNA for permission to invite foreign clergy to the country through a lengthy bureaucratic process. The OPRRNA must grant permission before foreign religious workers may serve in local congregations, teach or study at local institutions, or participate in charitable work. 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. 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.

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.

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

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BOC festivities, programs, and humanitarian projects. A program of cooperation between the Ministry of Education (MOE) 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 MOE. 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.

Government Practices

The government harassed members of minority religious groups, denied them permits to obtain places of worship, raided their private residences and, in one case, arrested a religious official. Members of religious groups reportedly continued to be reluctant to report abuses and restrictions, fearing intimidation and retribution.

On September 12, the Conference of Catholic Bishops of Belarus announced that according to an official notification from authorities, the Committee for State Security (KGB) arrested Catholic priest Uladzislau Lazar May 31. He was arrested on the charges of high treason and complicity in a crime, in particular for allegedly “handing money and material valuables” to a person accused of spying for a foreign state. Prior to the official notification, authorities held Lazar for three months and failed to inform either the Catholic Church or Lazar’s family

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about his whereabouts or the status of the criminal case. Although a defense lawyer reportedly had regular access to Lazar, the lawyer could not release any details about the case due to a non-disclosure agreement authorities forced him to sign. The papal nuncio saw Lazar in jail October 25, the only person to do so aside from Lazar's lawyer. A prison official was present throughout the meeting and monitored the conversation. The KGB spokesperson announced December 4 that Lazar was released from KGB custody "on his own recognizance," reportedly a form of house arrest that includes a travel restriction among other limitations. After Lazar's release, the Roman Catholic Church posted him to the town of Vileika to serve at a local church.

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 or allow them to gather for services in private homes.

The procedure for registering at 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 February 24, 20 police officers raided a service held by a Baptist community of the unregistered Baptist Council of Churches at a private residence in Homyel. They reportedly questioned all community members, including children, without the consent of their parents. On April 10, authorities fined Pastor Mikalai Varushyn four million rubles (\$421) on charges of violating regulations for holding demonstrations or other mass public events. On April 26, a higher court turned down his appeal to challenge the fine.

On April 14, a dozen police officers broke into another private home in Homyel where Pastor Pyotr Yashchanka, a representative of another unregistered Baptist community, was holding a service. Police interrupted the worship, recorded the meeting on tape and interrogated those present, including writing down their passport information and home addresses. The police also confiscated religious literature. According to the human rights group Forum18, the security services launched the raid to "reveal criminal groups of the unregistered Baptists." On May 31, a Homyel district court fined Yashchanka and his associate Valyantsin Shchadronak 200,000 rubles (\$21) each. The two were found guilty of organizing

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unsanctioned mass public events. On the same day, local authorities summoned home owner Andrei Tupalski and warned him that he could be held criminally liable for hosting religious services in the future.

On December 22, 10 police officers entered a private home and interrupted a pre-Christmas service of the local Evangelical Christian Baptist community in Homiel. Police confiscated a Bible, wrote down names of all members of the church, and selectively interrogated a number of them. Three community leaders were charged with organizing an unsanctioned service; however, no indictments followed at year's end.

Police stopped and searched at least seven Jehovah's Witnesses for preaching in public venues in the towns of Kletsk, Rahachou, Voranava, and Byalynichy during the year.

The authorities continued a freeze on the assets of the charismatic New Life Church (NLC) and attempted to evict the Church from its premises, a repeat of a similar incident last year. On June 13, the Supreme Court ordered the NLC to vacate its premises within seven days. The next day, however, the Court suspended the eviction order at the request of the local housing authorities. The NLC continued to use the space for religious purposes but was still unable to obtain proof of ownership from authorities. The NLC's renewed efforts to challenge an asset freeze imposed in 2010 over alleged environmental contamination were unsuccessful. Minsk city authorities continuously refused to meet with the NLC senior pastor, Vyachaslau Hancharenka.

Authorities at times delayed granting clergy permission to visit to members of the democratic opposition and human rights and civil society groups who had been incarcerated for political reasons. When such visits were granted, prison authorities closely monitored meetings, private conversations, and religious confessions.

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.

Authorities reportedly 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. They brought criminal charges against Catholic layman Alyaksei Shchadrou in the Hrodna region for allegedly

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establishing and leading an unregistered religious organization that united local residents of the same religious beliefs as well as homeless persons. He was also charged with setting up facilities for religious services and other religious activities. Local television channels claimed that Shchadrou was running a sect while providing a shelter for the homeless. Shchadrou denied all the charges, saying that he only provided beds to homeless persons who were neglected by authorities and prayed with them. On September 11, police dropped the charges against Shchadrou after authorities registered his private charitable organization.

The government continued to monitor minority religious groups, especially those it labeled “foreign” or “cults.” According to credible sources, state security officers 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. Groups also encountered obstacles to regaining ownership of religious properties confiscated during the Soviet period.

Some local government officials canceled 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.

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 denied the seventh registration application by Jehovah’s Witnesses in Barysau and their fifth registration application in Lida because the groups met in private residences or could not otherwise prove their residence at the designated premises. While authorities in Vitsyebsk and Svetlahorsk allowed local Jehovah’s Witnesses communities to use private homes for religious purposes on April 1 and September 13, respectively, authorities in Mahilyou, Babruisk, Rahachou, Homyel, and Lida refused to grant such permission.

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Authorities allowed Jehovah's Witnesses to hold a three-day convention in Minsk in August. Over 10,000 members from across the country reportedly attended the convention without official interference.

Authorities regulated every aspect of proselytizing and distribution of religious literature. Religious groups, especially Protestants, remained cautious in proselytizing and distributing material due to the general atmosphere of intimidation and fear of retribution, refusals, and other possible limitations. Regional and municipal authorities in a few cities also issued warning letters to Jehovah's Witnesses due to their religious activity and discussions about the Bible.

In February the Svetlahorski District Court dismissed the case against Dzmitry Liabedzka, who was charged in 2011 for conducting a meeting of Jehovah's Witnesses without permission. In March the court also ruled to repay Liabedzka the fine of 700,000 rubles (\$74) and administrative fees of 470,000 rubles (\$49).

The inconsistent application of government visa regulations affected the ability of missionaries to live and work in the country. This reduced the number of Catholic clergy permitted in the country and limited the humanitarian and charitable projects of foreign Protestant groups. For example, authorities shortened the visa validity for a few Catholic priests from the regular one-year duration to a six- or three-month duration, or refused to extend their six-month visas for work in the country. Authorities stated the action was based on complaints from Catholics about foreign priests' poor knowledge of the Russian or Belarusian languages. Credible sources noted, however, that in the western region of the country small Catholic communities often were fluent in Polish.

On October 7, Catholic Archbishop Tadeusz Kondrusiewicz and parishioners of the Saint Mary community consecrated the site that was designated by the Minsk city authorities for building a new Catholic church. This was the sixth site allocated by Minsk local authorities to the Catholic Church.

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. Some Protestant communities complained of such by the authorities, calling them harassment.

Authorities only sporadically or ineffectively investigated anti-Semitic acts. They typically characterized neo-Nazi activity as hooliganism. On June 20, a court in

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Rechytsa fined an unnamed 21-year-old blogger one million rubles (\$105) for posting pictures of Nazi symbols and paraphernalia on his social network page from September 2010 through May 2013. Prosecutors warned the blogger that he could be held criminally liable for further similar postings.

In February a court in Mazyr found a 22-year-old man guilty of vandalizing two local Orthodox churches in 2012 and sentenced him to compulsory treatment at a mental hospital.

The government continued to require students to use textbooks that some claimed promoted intolerance toward nontraditional religious groups. Leaders of Protestant communities criticized the language in one textbook as discriminatory, citing language in one chapter that labeled 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 Krishna as "sects." The government made no changes to these textbooks despite requests from Protestant groups.

Government Inaction

The government did not return buildings, including religious buildings, that had been 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.

Improvements in Respect for Religious Freedom

On August 30, the OPRRNA handed the head of the Roman Catholic Church, Archbishop Tadeusz Kondrusiewicz, registration documents for the Minsk-based John the Baptist Catholic College ahead of a new academic year. The college will train specialists in theology, philosophy, Bible studies, liturgies, social studies, and Church law among other disciplines. Kondrusiewicz said that the foundation of the college was a significant development toward establishing a Catholic higher educational institution in Belarus, in addition to the longtime functioning ecclesiastical seminaries in Pinsk, Hrodna, and a college in Baranavichy.

Section III. Status of Societal Respect for Religious Freedom

There were reports of societal discrimination based on religious affiliation, belief, or practice. There were reports of anti-Semitic graffiti or vandalism. Anti-

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Semitism and negative attitudes towards minority religious groups declined compared with previous years.

On October 29, three underage vandals destroyed the fence and damaged the monument in honor of Jews and other residents killed by Nazis in September 1942, in the village of Kuranets. Although police detained and interrogated the three minors, authorities did not charge them with vandalism or otherwise hold them liable due to their age, but did put their names into the police database.

The Jehovah's Witnesses Association reported that at least three members suffered minor injuries after being attacked by local residents in several towns, including Lyezna.

The BOC 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 used on the anniversary of his death alleged that the "martyred and courageous Hauriyil 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 international conferences.

In April the Muslim Religious Association resumed construction of a mosque in central Minsk after receiving a permit from local authorities. The Association previously had to suspend construction work for five years due to lack of funds.

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 to follow up on reports of continued harassment and pressure.

The embassy monitored the sale of anti-Semitic and xenophobic literature in stores and state media distributors. Embassy officers discussed religious restrictions with 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.

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