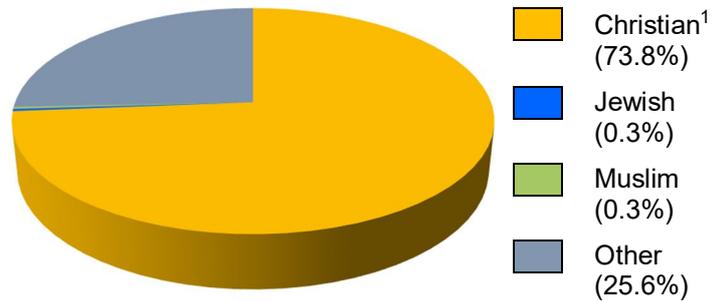


BELARUS



Area: 207,595 km ²	Population: 9.5 million	Political system: Autocracy ²	Major Language(s): Belarusian, Russian
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Legal framework on Freedom of Religion and actual application

The constitution grants individuals the freedom to profess any religious beliefs and to participate in acts of worship provided they are not prohibited by law. Banned activities include those directed “against the sovereignty of the Republic of Belarus, its constitutional system, and civic harmony”. Others involve a violation of civil rights and liberties or offences that “impede the execution of state, public, and family duties” by its citizens, or are detrimental to public health and morality. All religious matters are regulated by the Office of the Plenipotentiary Representative for Religious and Nationality Affairs (OPRRNA).

The law recognises the “determining role” of the Orthodox Church in the development of the traditions of the people. Existing legislation also acknowledges the historical importance of religious groups commonly referred to as “traditional” faiths: Catholicism, Judaism, Islam, and evangelical Lutheranism. Those faith communities which are not recognised in this way include newer religious groups, and the priest-less Old Believers and Calvinist churches, which have historical roots in the country dating to the 17th century.

All religious activities by unregistered groups are banned by law and its group members are subjected to penalties ranging from heavy fines to two years in prison. The activities of religious communities and associations are by law confined to areas where they are registered. This is connected to complex registration requirements some groups find difficult to fulfil, including size minimums and access to facilities designated for religious use. The law requires all religious groups to receive prior governmental approval for the import and distribution of religious literature. The approval process includes official examination of the documents under consideration by religious studies experts.

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.

The housing code permits religious groups to register at residential premises provided 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. Pending the court's decision, the government can suspend the activities of the religious group. The law contains no provision for appeal of the warning or suspension.

Only registered national religious associations may apply to OPRRNA for permission to invite foreign clergy to the country. OPRRNA 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. OPRRNA 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. Foreigners may not lead religious groups. The authorities may reprimand or expel foreign citizens officially in the country for non-religious 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 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.

A 2003 concordat between the Belarusian Orthodox Church (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 recognises the BOC's "influence on the formation of spiritual, cultural, and national traditions of the Belarusian people." Even though it is stated in the concordat that the agreement does not limit the religious freedom of other religious groups, it calls for the government and the BOC to combat unnamed "pseudo-religious structures that present a danger to individuals and society."

The government continued to deny registration to minority religious groups, detained and fined religious leaders for engaging in unregistered religious activities, 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.

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 legalised 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.

Non-traditional 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 organising or hosting unauthorised meetings, especially in private homes. Authorities fined or issued written warnings to Protestant and non-BOC Orthodox congregations for operating illegally.

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 there were few reports of fines against unregistered religious groups, many such 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.

The government had refused permission to Polish priest Father 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. After protests by parishioners, the government did a U-turn and extended the visa for Father Schulz.³

The authorities criticise the Catholic Church in Belarus for reportedly preferring to invite foreign priests, mostly Polish, rather than developing local Belarusian structures. The Bishop of Vitebsk defends this practice, pointing to the difficulties of making progress in a mostly hostile environment. Besides, the calling to priesthood is not a simple job decision which can be significantly influenced by offering vacant posts. However compared to the years after 1989, there is a remarkable increase in the number of Belarusian Catholic priests.⁴

Incidents

There were reports of anti-Semitic graffiti or vandalism. On 14th August 2014, a priest in Hrodna reported that vandals had painted swastikas on several plaques commemorating Jews. On 28th December 2014, a rabbi in Homyel reported that vandals had painted swastikas and anti-Semitic slogans on a Jewish religious and a secular community centre. However, Jewish religious leaders stated anti-Semitism and negative attitudes towards minority religious groups continued to decline.

Jehovah's Witnesses reported three cases of law enforcement officials interrupting religious meetings without bringing charges against any congregation members. Furthermore they 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 7th August 2014, and a day later a local district court ruled that they had violated the law on mass gatherings and pickets. On 9th October 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.

Jehovah's Witnesses, who are conscientious objectors to military service, have been persistently targeted. Their alleged attempts at illegally distributing religious literature were also criticised by the authorities. Pavel Yadlovsky of the Jehovah's Witnesses noted that officials often failed to understand how religious literature is distributed. Yadlovsky said: "Literature is given away by individuals not by a legal entity."

In the town of Gorki in Mogilev Region, Council of Churches Baptist Liliya Shulgan was fined for hosting a religious meeting in her home on 22nd December 2015. She was charged under Article 21.16, Part 1 of the Administrative Code for not using living premises for their designated purpose. During the trial on 8th February 2016, Judge Yelena Vorobyeva of Gorki District Court found Liliya Shulgan guilty and fined her 10 base units, 2,100,000 Belarusian Roubles (about 90 Euros).⁵

Prospects for Freedom of Religion

In February 2016, Commissioner for Religious and Ethnic Affairs of Belarus Lieanid Huliaka criticised the Catholic Church for "insufficient active cadre training" and "the destructive activities of some Belarusian priests among the population". Two days later the Conference of Catholic Bishops in Belarus in an official statement declared that these issues were "exclusively the internal affairs of the Church". The bishops suggested that all such questions "may be discussed in person".

In recent years the Commissioner has become in effect a spokesman for the authorities regarding the country's Catholics. He raised identical objections to "cadre training" and activities among the population in 2014 and 2015. On the other hand, Belarusian diplomacy sees good relations with the Vatican as a means of establishing links in the West. Officials and state media speak only in a positive way about the Church.⁶ In February 2016 Father Sanko of the Catholic Bishops' Conference commented on the accusations against the Catholic Church. He said it made no sense to react aggressively, as such statements from the authorities were now commonplace and had not made the situation worse.⁷

The situation of the Greek Catholic Church has improved slightly. On 13th February 2016 a 25-minute broadcast portraying the Greek Catholic Church in a positive light was aired on Belarusian state television. This is in stark contrast to previous treatment of this religious group, which in recent years has been viewed with suspicion by the authorities.⁸

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 13th May 2014, Metropolitan Pavel said there were “friendly and warm” relations between the two Churches.

Problems of religious freedom in Belarus primarily concern the question of registration for religious organisations. A lack of registration can often lead to criminalisation. Local authorities often create deliberate obstacles to the registration of new communities, especially if they are hitherto unknown in Belarus. Connected to this is the government’s hostility towards foreign clergy invited to Belarus. The Russian Orthodox Church, which is given preferential treatment by the authorities, has no such difficulties.⁹

¹ 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.

<http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm?year=2014&dclid=238358#wrapper>

² https://en.wikipedia.org/wiki/Democracy_Index

³ <http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm?year=2014&dclid=238358#wrapper>

⁴ <http://www.deon.pl/religia/kosciol-i-swiat/z-zycia-kosciola/art,24937,bialorus-biskup-o-dzialaniach-wladz-wobec-kosciola.html>

⁵ http://www.forum18.org/archive.php?article_id=2157

⁶ <http://en.eurobelarus.info/news/society/2016/02/24/catholic-status-quo-in-belarusian-politics.html>

⁷ http://www.forum18.org/archive.php?article_id=2157

⁸ <http://belarusdigest.com/story/greek-catholics-belarus-%E2%80%93-struggle-margins-24751>

⁹ <http://en.eurobelarus.info/news/society/2016/02/18/does-belarus-have-problems-with-the-freedom-of-religion.html>