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Enclosed information material is submitted by the European Association of Jehovah's Witnesses

European Association of Jehovah's Witnesses

B E L A R U S

RELIGIOUS FREEDOM ISSUES

**STATEMENT BY THE
EUROPEAN ASSOCIATION OF
JEHOVAH'S WITNESSES**

**OSCE Human
Dimension
Implementation
Meeting, Warsaw**

16-27 SEPTEMBER 2019

Belarus

Jehovah's Witnesses in Belarus enjoy a measure of freedom to worship. In the past year, they held weekly religious services throughout the country without police disruption.

However, the Witnesses continue to experience these problems:

- obtaining legal registration of local religious communities
- finding suitable venues for religious services
- manifesting their beliefs publicly without interference

In some cities, authorities deny permission for the Witnesses to meet, whether in private homes or non-residential buildings. This leaves the Witnesses without legal protection and makes them vulnerable to potential interference with their religious activities.

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Abuses and Restrictions of Religious Freedom

INTERFERENCE WITH FREEDOM OF ASSEMBLY

Presently, more than 6,100 Jehovah's Witnesses in Belarus meet together for worship. They can meet freely for worship in the Kingdom Halls (houses of worship) that they own, located in Volkovysk (Grodno Region) and in Glubokoe and Orsha (Vitebsk Region).

Elsewhere, local authorities must first give approval before the Witnesses can meet legally for worship, whether in private homes or rented premises. In many cities, the authorities grant approval. Conversely, authorities in other cities refuse permission, inform the Witnesses that non-residential buildings are not available to rent for worship, and deny approval for them to meet in private homes.

This leaves the Witnesses with no choice but to meet together "illegally" in private homes. In the past, the police have disrupted their religious services, asserting that they have no right to meet together without approval.

In places where the authorities deny permission to meet, the Witnesses are forced to conduct meetings "illegally" in private homes.

Jehovah's Witnesses have been trying unsuccessfully to register local communities in some areas of Belarus for over 10 years.

Even though no meetings were disrupted this year, the Witnesses effectively have no legal protection, since the authorities can interfere with their meetings at any time and prosecute them for their peaceful religious activities.

DIFFICULTIES IN OBTAINING REGISTRATION

The Law of the Republic of Belarus on Freedom of Conscience and Religious Organisations (Law on Religion), dated 17 December 1992, obliges worshippers to register a religious organisation (community) in every town where there are more than 20 members (Articles 16 and 14). Religious activity without State registration is considered illegal.

Since 1994, the government has registered 27 local religious communities of Jehovah's Witnesses and one national religious association. However, Jehovah's Witnesses have been trying unsuccessfully to register local communities in some areas of Belarus for over 10 years. Recent efforts exemplify the problems encountered:

→ **Vileika, Minsk Region.** The Witnesses' attempts to register their religious community were denied seven times by authorities, most recently on **11 February 2019**.

On **26 March 2019**, the Religious Association of Jehovah's Witnesses in the Republic of Belarus (the Association) requested permission from the Vileika District Executive Committee (VDEC) to register and use a residential building that the Association owns as the legal address of the Vileika Religious Community.

On **26 April 2019**, the VDEC denied the application, with no reason given. The Association appealed the decision.

On **10 June 2019**, the Minsk Regional Executive Committee accepted the Association's appeal and returned the application to the VDEC for reconsideration.

On **1 July 2019**, the VDEC denied permission, reasoning that there is no provision in the Vileika zoning plan for a religious building in a residential area. However, the Association did not ask to have their residential building rezoned as a religious building. Belarus law allows the use of residences for religious purposes after the authorities grant permission.

On **23 July 2019**, the Association appealed the VDEC denial, and a decision is still pending.

→ **Lida, Grodno Region.** The Witnesses' attempts to register their religious community were denied eight times by the authorities, most recently on **23 January 2019**.

On **23 May 2019**, the Lida District Court dismissed the Witnesses' appeal.

In early **June 2019**, seventeen members of the Lida Religious Community filed appeals with the Grodno Regional Court.

→ **Borisov, Minsk Region.** The Witnesses have made numerous unsuccessful attempts to legally register a religious community. All of their applications and subsequent appeals have been rejected for groundless formal and technical reasons. The last denial was on **16 July 2019**. On **29 July 2019**, that denial was appealed to the Minsk Regional Executive Committee.

Interference With Manifestation of Religious Belief

MEETINGS FOR PEACEFUL WORSHIP UNPROTECTED

On **27 January 2019**, a woman disrupted a religious meeting of Jehovah's Witnesses in the city of **Brest**. She videorecorded, insulted and threatened those present at the meeting. She ultimately left when the police arrived. Soon afterwards, the woman uploaded the video to the Internet. The Brest Religious Community of Jehovah's Witnesses filed a complaint concerning the trespass with the prosecutor in Brest and forwarded verifying materials to the district law enforcement office. However, on **17 June 2019**, the prosecutor dismissed the case for lack of evidence, despite the proof provided.

MISAPPLICATION OF THE LAW ON PICKETING

The authorities continue to misapply the term "picketing" from the Law of the Republic of Belarus on Mass Actions (Article 2), dated 30 December 1997, to the religious activities of individuals in public places.

→ **Rogachev, Gomel Region.** On **24 March 2018**, police detained two female Witnesses while they were sharing their beliefs with others. On **16 May 2018**, the Rogachev District Court found the women guilty of unsanctioned picketing and fined each of them EUR 21 (USD 25). On **15 June 2018**, the Gomel Regional Court dismissed the appeals of both women. On **28 September 2018**, the chairman of the Gomel Regional Court upheld the lower court rulings; and on **28 January 2019**, the Supreme Court of Belarus also upheld the ruling and dismissed their appeals.

The authorities continue to misapply the term "picketing" to religious activities of Jehovah's Witnesses in public places.

HARASSMENT OF FOREIGN CITIZENS MANIFESTING RELIGIOUS BELIEF

According to the Law on Religion (Articles 3 and 5), foreign citizens residing in Belarus have the right to freely express and manifest their religious beliefs, to live in accord with their beliefs and to participate in religious meetings and worship services. However, these rights are not always upheld.

→ **Mogilev.** On **13 May 2019**, the Mogilev Regional Executive Committee (Executive Committee) issued a warning notice to the City of Mogilev Religious Community of Jehovah's Witnesses, accusing the community of "illegally" allowing participation in religious meetings by foreign citizens residing in Belarus. (The Executive Committee had issued an earlier warning notice to this community on **10 August 2018**.)

Since the Law on Religion does not allow a religious community to appeal warning notices, the warning endangers the existence of the Mogilev community. If the Witnesses in Mogilev do not eliminate the alleged infringement within six months or if they receive another warning within a year, the Executive Committee (as registering agency) can appeal to the court for liquidation of the Witnesses' community in Mogilev.

DENIAL OF RIGHT TO CONSCIENTIOUS OBJECTION TO MILITARY SERVICE

The Belarus Law on Military Obligation and Military Service (Article 70), dated 5 November 1992, states that persons who have fulfilled alternative civilian service may be exempted from military reservist training. However, the authorities interpret the law very narrowly and claim that those who previously performed military service do not have the right to conscientious exemption from reservist training. This interpretation of the law endangers the rights of believers who previously performed military service but cannot now in good conscience do so. Potentially, these men can become subject to criminal prosecution.

→ **Dmitrii Mozol**, one of Jehovah's Witnesses, was called up for military reservist training to begin on **12 March 2019**.

On **26 February 2019**, Mr Mozol filed an application requesting exemption because of his religious beliefs. The Pinsk Military Commissariat denied his request.

On **12 April 2019**, the Brest Regional Military Commissariat dismissed his appeal.

On **18 June 2019**, the headquarters of the Belarus Military Forces denied his appeal.

On **2 August 2019**, the Minister of Defence dismissed his appeal.

On **15 July 2019**, Mr Mozol filed an appeal with the Pinsk District Court. His application is pending.

CENSORSHIP OF RELIGIOUS LITERATURE

According to the Law on Religion (Article 26), all printed, audio and video religious materials must pass State examination before they can be imported into Belarus. Since the law does not set a time limit for the State to study the literature, the Witnesses must generally wait three months to obtain permission to import each new religious publication.

→ On **4 June 2019**, the Deputy Commissioner for Religious and Ethnic Affairs upheld the State Panel of Experts' decision denying importation of the **April 2019** study edition of *The Watchtower*, a well-known magazine used in religious meetings of Jehovah's Witnesses around the world.

Positive Developments

Since the end of 2014, no religious meetings of Jehovah's Witnesses have been disrupted by authorities.

Meetings With Officials

From **September 2018** through **June 2019**, local representatives of Jehovah's Witnesses met with various local officials to resolve issues when problems arose. The Witnesses engaged in constructive dialogue with the officials, and most meetings led to a positive outcome.

RELIGIOUS FREEDOM OBJECTIVES

JEHOVAH'S WITNESSES RESPECTFULLY REQUEST THE GOVERNMENT OF BELARUS TO:

- **Grant registration to all communities of Jehovah's Witnesses throughout Belarus;**
- **Grant the Witnesses construction permits for their houses of worship and occupancy permits to hold their religious meetings in rented venues;**
- **Respect the Witnesses' right to share their beliefs with others; and**
- **Recognize the right of conscientious objection to military reservist training.**

Representatives of Jehovah's Witnesses welcome the opportunity to engage in constructive dialogue with representatives of the Belarus government.

For more information:

Please contact the Office of Public Information for Jehovah's Witnesses at OPIGov@jw.org.



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