



**Institute on Religion and Public Policy:
Religious Freedom in Belarus**

Executive Summary

(1) Belarus' jump into modernity has been characterized by a search for self-identity. Throughout most of Belarus' history it was a constituent of other countries, and it was not until the fall of the Soviet Union that Belarus was given the opportunity to truly explore its own national identity. Religion has always been a strong part of Belarusian culture. Prior to 1917 there were over 2500 different religious communities in Belarus. However, the influence of the Soviet era drained that number significantly. Religion has seen a revival in the post-Soviet era, but this has also renewed the historical conflict between the Orthodox and Roman Catholic constituencies in the region. The Belarus Orthodox Church (BOC) is not the official church of Belarus, but is treated as such, and this government-sanctioned legitimacy makes it difficult for other religions to operate in the country as they face significant obstacles to the free practice of religion. Technically the Constitution recognizes the equality of all religions, but government policies and practices continue to severely infringe religious freedoms.

Institute on Religion and Public Policy

(2) Twice nominated for the Nobel Peace Prize, the Institute on Religion and Public Policy is an international, inter-religious non-profit organization dedicated to ensuring freedom of religion as the foundation for security, stability, and democracy. The Institute works globally to promote fundamental rights, and religious freedom in particular, with government policy-makers, religious leaders, business executives, academics, non-governmental organizations and others. The Institute encourages and assists in the effective and cooperative advancement of religious freedom throughout the world.

Introduction to the Legal Situation

(3) The 1996 amendment to the Constitution of Belarus asserts that "all religions and faith shall be equal before the law," but it goes on to state that the government will have control over their influence on the culture of Belarus. Furthermore, the government enacted additional laws imposing numerous requirements and restrictions on religions, especially new and small religions that are not consistent with international standards.

(4) In 2002, despite protests from human rights organizations, the European Union, and domestic religious groups, President Lukashenko signed a religion

law which defines “traditional” religions as the Belarus Orthodox Church, Roman Catholic Church, Judaism, Islam, and Evangelical Lutheran groups. Defining these religions as the “traditional” religions of Belarus has led to significant discrimination against religions that do not fall into these categories. Furthermore, it ignores two religious groups that have had a presence in Belarus since the 17th century: the Priestless Old Believers and the Calvinist church. The law gives additional recognition to the importance of the Belarus Orthodox Church and, as a practical matter, establishes the BOC as the state sanctioned religion.

(5) The 40 complex articles that constitute the 2002 religion law severely hinder religious freedom by law increasing government control over the activities of religious groups. Religious groups must obtain government approval before they can import and distribute literature. In addition, foreigners are not allowed to lead religious organizations and religious communities cannot establish schools to train their own clergy.

(6) The religion law requires religious organizations to register and it limits their activities to the region in which they are registered. The law’s registration requirements are onerous and many religious groups have difficulty meeting them. Furthermore, all religious groups registered before 2002 were required to reregister by 2004. Many “non-traditional” faiths, such as the Protestant groups the New Life Church and the Belarusian Evangelical Church, are continuously denied registration. Once registered, the affairs of all religious groups are controlled by the Office of the Plenipotentiary Representative for Religious and Nationalities Affairs of the Council of Ministers (OPRRNA). As of January 1, 2007, the OPRRNA reported that 25 religious denominations with 3,103 religious organizations were officially registered.

(7) The law creates three ways in which a religious group can register: a religious community must have least 20 adult members; a religious association must have at least 10 religious communities, one of which must have been active for 20 years; and national religious associations must have active religious communities in all six regions of the country. Applications to become a community must include founding information such as founders’ names, founding statutes, and founding minutes. Applications to become an association are more complex and must include a list of members, but once established religious associations have the right to start religious schools and bring foreigners into the country for religious work. The applications for communities are handled by the regional governments, but applications for associations and national associations are handled by OPRRNA.

(8) In addition to the registration requirement, the government enforces other laws and pursues policies that limit religious freedom. The religion law punishes religious groups, particularly Protestants, whose registration applications are rejected by denying them avenues of legal redress and the right to own property.

Religious activities are restricted geographically by the religion law and by the 2003 law on demonstrations, which requires state permission before a public religious event.

(9) In early 2008, religious leaders tried to petition the government to abolish the registration requirement and other restrictive laws. Leaders of the majority religions, the BOC and Russian Orthodox Church, urged their parishioners to refrain from joining this cause stating that the religion law helps maintain national stability. Some of the petitioners were arrested and prosecuted while they were collecting signatures. The government fined three petition organizers claiming they failed to properly register their group with the electoral commission before collecting signatures. The Constitutional Court rejected the petition claiming that the only people with the authority to challenge the Constitutionality of national laws are the President and other government officials.

(10) The government continues its support for the Belarus Orthodox Church. In 2006 the government funded \$3 million dollars in BOC projects. In 2003 the government signed a concordat with the BOC, giving the BOC absolute autonomy and freedom in its affairs. It also reaffirmed the special relationship the BOC has with the state and provides for a combined effort between the BOC and the government to fight against “pseudo religious structures that present a danger to individuals and society.”

Instances of Official Discrimination

(11) The government has placed Protestant groups under extremely high levels of scrutiny because they are viewed as “foreign” or “cults.” Officials have conducted surveillance on Protestant services and have threatened students, and their parents, attending Protestant and Baptist educational services.

(12) There were numerous reports of authorities harassing, fining, or deporting members of religious minority and “non-traditional” groups for practicing their faith. On June 20, 2008, a court fined Vladimir Burshtyn, a Baptist, 700,000 Belarusian Roubles (211 Euros or 329 US Dollars), which is more than two months’ average wages, for “organiz[ing] choir singing and conduct[ing] conversations on religious topics” outside a public market. On February 29, 2008, officials disrupted a small charismatic youth group meeting in a private house in the southern city of Mazyr. Citing the 2002 law, the officials justified their actions by alleging the group violated the law by engaging in “political agitation” at a place used for worship services. Some of the punishments resulted from registration complications. On December 14, 2007, a Baranovich district court judge fined Baptist pastor Dmitriy Osyko \$65 for leading an unregistered religious organization, and Stepan Paripa and Nikolay Pestak \$160 each for providing residential premises for illegal services. On October 26, 2007, a district judge fined Baptist pastor Gennady Ryzhkov \$115 for leading religious services of an unregistered Evangelical Christian Baptist church in Osipovich.

(13) Belarus tightened its stringent regulations on foreign religious workers with guidelines that stipulate only registered national associations may apply to OPRRNA for permission to invite foreign clergy. These regulations give OPRRNA sole discretion in approving requests for foreign clergy and the decision cannot be appealed. There is concern these changes will severely restrict missionary activity, and it is expected to place a serious burden on Roman Catholic and Protestant groups, who employ a large number of foreign clergy.

(14) In addition to the visa requirements, the government has used other laws to restrict religious activity by foreigners. These regulations allow the government to expel foreigners officially in the country for non-religious purposes on the grounds of engaging in unauthorized religious activity. In February 2007, seven U.S. citizens were fined, set for deportation, and banned from the country for two years on charges of illegal teaching and illegal religious activities. Authorities claimed the seven had failed to obtain prior permission from the Ministry of Education before teaching English at a house of worship. The case was subsequently overturned on technical errors.

(15) Foreign organizations are also prohibited from "subversive activities" and from establishing offices that incite "national, religious, and racial enmity" or could "have negative effects on the physical and mental health of the people." On March 14, 2007 authorities deported a Protestant U.S. citizen humanitarian aid worker on the grounds that he was involved in activities "aimed at causing damage to national security."

(16) The government promotes religious intolerance, especially toward "nontraditional" faiths, through textbooks, informational pamphlets, and other government publications. In May 2008, the Brest regional government warned health care centers to be "more vigilant in contacting representatives of religious organizations who conduct missionary work under the guise of charity." Protestants view the language of the textbook *Basics of Home and Personal Security* as discriminatory and derogatory. Seventh-day Adventists, the Church of Maria, White Brotherhood, and Jehovah's Witnesses are all described as sects in the "Beware of Sects" chapter. The Ministry of Education continues to use the textbook *Man, Society, and State*, which also describes Hare Krishnas as "sects," despite numerous protests by religious groups. The term 'sect' in Belarus is given an extremely negative connotation similar to that of cult.

Conclusion

(17) Belarus has certainly taken significant steps towards officially promoting religious freedom since the fall of the Soviet Union. However, there are still drastic improvements that can be made in the Constitution, legislation, and

societal respect for religious freedom. Specifically, President Lukashenko must stop pursuing policies favoring the BOC and ROC. This means that the government must stop harassing non-Orthodox religions and it must stop rejecting registration applications under the weak justification that the applying organization “run[s] counter to the Constitution.” The restrictions that limit the freedom to worship, speak, and assemble must be remedied. Furthermore, Belarus must align its laws and its policies with international human rights standards. Despite its progress, a lot of work remains to be done in Belarus to ensure full and fair freedom of religion.