



[Home](#) » [Under Secretary for Democracy and Global Affairs](#) » [Bureau of Democracy, Human Rights, and Labor](#) » [Releases](#) » [International Religious Freedom](#) » [July-December, 2010 International Religious Freedom Report](#) » [Europe and Eurasia](#) » Belarus

Belarus

BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR

July-December, 2010 International Religious Freedom Report

Report

September 13, 2011

The constitution protects religious freedom, but other laws and policies restrict religious freedom. In practice, the government generally enforced these restrictions.

The government generally restricted religious freedom in law and in practice. There was no change in the status of respect for religious freedom by the government during the reporting period. The government used provisions of the religion law to hinder or prevent activities of groups other than the Belarusian Orthodox Church (BOC), which has special status by virtue of a concordat with the government. In particular, the law restricts the ability of religious organizations to provide religious education, requires governmental approval to import and distribute literature, and prohibits foreigners from leading religious organizations. Authorities harassed and fined members of certain religious groups, especially those regarded as bearers of foreign cultural influence or as having a political agenda. Foreign missionaries, clergy, and humanitarian workers affiliated with Protestant churches faced many government-imposed obstacles, including deportation and visa refusal or cancellation.

There were reports of societal abuses or discrimination based on religious affiliation, belief, or practice. Many of these reports involved vandalism of religious sites, buildings, and memorials.

The U.S. embassy continued to promote fundamental human rights, including freedom of conscience. U.S. embassy staff maintained regular contact with representatives of various religious groups, attended events hosted by religious groups, visited repressed churches, denounced incidents of anti-Semitism, and monitored and followed up on cases of religious freedom violations.

Section I. Religious Demography

The country has an area of 80,154 square miles and a population of 9.5 million. According to an independent September poll, 78.8 percent of citizens belong to the BOC, 11.1 percent to the Roman Catholic Church, 0.7 percent to Protestant groups (including Seventh-day Adventists, Baptists, Lutherans, Pentecostals, and others), 0.1 percent to Muslims, 0.1 percent to Judaism, and 0.3 percent to other religions. The survey indicated that 8.8 percent did not practice any religion and of those who identify as Belarusian Orthodox or Roman Catholic, 8 and 35 percent, respectively, attend church services every week. According to January 2011 data from the Office of the Plenipotentiary Representative for Religious and Nationality Affairs (OPRRNA), approximately 58.9 percent of citizens consider themselves religious and 12.3 percent do not practice any religion. There are also adherents of the Greek Catholic Church and of Orthodox groups other than the BOC. Jewish groups stated that between 30,000 and 40,000 persons are Jewish. Most Jews in the country are not religiously active, according to these groups.

At the end of the reporting period, OPRRNA reported 3,321 religious organizations of 25 religious confessions and denominations in the country, including 3,162 registered religious communities and 159 national confessional organizations (monasteries, brotherhoods, and missionary sites). Some of these included the following communities: 1,545 Belarusian Orthodox, 475 Roman Catholic, 1,005 Protestant, which included, among others, evangelical Christian, Baptist, Full Gospel Christian, Seventh-day Adventist, and New Apostolic; 52 Jewish, and 25 Muslim. Other registered communities included the following: Old Believer, Lutheran, Jehovah's Witnesses, Greek Catholic, Apostolic Christian, Hare Krishna, Bahai, Christ's Church, The Church of Jesus Christ of Latter-day Saints (Mormons), Messianic, Reform Church, Presbyterian, Armenian Apostolic, Latin Catholic, and St. Jogan Church.

Section II. Status of Government Respect for Religious Freedom

Legal/Policy Framework

Please refer to Appendix C in the *Country Reports on Human Rights Practices* for the status of the government's acceptance of international legal standards <http://www.state.gov/g/drl/rls/hrrpt/2010/appendices/index.htm>.

The constitution protects religious freedom, but other laws and policies restrict religious freedom. In practice, the government generally enforced these restrictions. The constitution affirms the equality of religions and denominations before the law; however, it contains language stipulating that cooperation between the state and religious organizations "is regulated with regard for their influence on the formation of spiritual, cultural, and state traditions of the Belarusian people." 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 Belarusian people, as well as the historical importance of groups commonly referred to as traditional faiths -- Catholicism, Judaism, Islam, and Evangelical Lutheranism. However, the traditional faiths mentioned in the law do not include certain religious groups such as the Priestless Old Believers and Calvinist Churches, which have historical roots in the country dating to the 17th century.

Although the 2002 law provides for religious freedom, it contains restrictive elements that increase the government's control. It requires all previously registered groups to reregister by 2004, and it bans all religious activity by unregistered groups. The activities of unregistered religious groups are punishable in accordance with criminal code article 193 (activities related to violence against individuals, infringement of their rights, freedoms, and interests, and preventing individuals from implementing their state, public or family duties), and subarticle 193.1 (organizing or participating on behalf of unregistered groups, including religious groups). Penalties range from heavy fines to three years in prison. In addition, the 2002 law confines the activity of religious communities and associations to areas where they are registered and

establishes complex registration requirements that some communities, both "traditional" and "nontraditional," have difficulty fulfilling.

The 2002 law establishes three tiers of religious groups: religious communities, religious associations, and national religious associations. Religious communities, or local individual religious organizations, must include at least 20 persons over the age of 18 who live in neighboring 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 a majority of the country's six regions.

Religious and nonreligious groups are by law not allowed to be registered at residential premises. On a case by case basis, local authorities may selectively allow religious communities to be registered at private houses, especially in small towns and villages; however, such procedures remain cumbersome, time- and resource-consuming. Religious communities also are banned from holding mass and systematic services in private homes and frequently are denied renting space for worshiping.

A religious community must submit a list of its founders' names, their places of residence and citizenship, and signatures; copies of its founding statutes; the 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 executive committees (for groups outside of Minsk) or the Minsk City Executive Committee handle all registration applications. For a community practicing a religion not previously known to the government, information about the faith must also be submitted. No previously unknown religious communities were registered during the reporting period.

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 OPRRNA. The government registered 56 religious communities, one Orthodox monastery, one sisterhood, and one Protestant mission during the year. Some Christian communities maintained that the law heavily restricts their activities, suppresses freedom of religion, and legalizes criminal prosecution of individuals for their religious beliefs.

The 2002 law stipulates that state committees in charge of registration can issue written warnings to religious organizations for violating any law or implementing activities outside of their charters' scope of responsibilities. If the violations enumerated in the written warning are not eliminated within six months or are repeated within one year of the warning, the government has the right to apply to court to shut the religious organization down. The government can suspend activities of the religious organization until the court has issued its decision. The 2002 law does not outline any procedure for the religious organization to appeal the warning or suspension of its activities.

There is no legal basis for restitution of property seized during the Soviet and Nazi periods, and the law restricts the restitution of property being used for cultural or sports purposes.

A 2003 concordat between the BOC and the government guarantees the BOC autonomy in its internal affairs, freedom to perform religious rites and other activities, and a special relationship with the state. The concordat recognizes the BOC's "influence on the formation of spiritual, cultural, and national traditions of the Belarusian people." It calls for the government and the BOC to cooperate in implementing policy in various fields, including education, development, protection of cultural legacies, and security. Although it states that the agreement would not limit the religious freedom of other religious groups, the concordat calls for the government and the BOC to combat unnamed "pseudoreligious

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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 the image of the Cross of Saint Euphrosyne, the patron saint of the country, as its symbol.

The 2002 law requires all religious groups to receive prior governmental approval to import and distribute literature.

Legislation prohibits subversive activities by foreign organizations and the establishment of offices by foreign organizations whose activities incite "national, religious, and racial enmity" or that could "have negative effects on the physical and mental health of the people."

As in previous reporting periods, approval for visits by foreign religious workers often involved a lengthy bureaucratic process. The law requires one-year, multiple-entry religious activities visas for foreign missionaries and clergy. An organization inviting foreign clergy must make a written request to OPRRNA, including the proposed dates and reason for the requested visit. Even if the visit is for nonreligious purposes (such as charitable activities), representatives must obtain a visa and permission from OPRRNA. OPRRNA has 30 days in which to respond, and there is no provision for appeal of its decision.

The government does not permit foreign missionaries to engage in religious activity outside of their host institutions. Transferring between religious organizations, including parishes, requires prior state permission.

Foreign citizens officially in the country for nonreligious work can be reprimanded or expelled if they participate in religious activities. Internal affairs agencies may compel the departure of foreign clergy by denying registrations and stay permits. Authorities may act independently or based on recommendations from other government entities.

Only registered national religious associations may apply to OPRRNA for permission to invite foreign clergy to the country, and permission must be granted before foreign religious workers may serve in local congregations, teach or study at local institutions, participate in charitable work, or expand foreign contacts of religious groups. OPRRNA has the right to deny requests without explanation.

The 2002 law prevents foreigners from leading religious organizations, and denies religious communities the right to establish schools to train clergy.

The 2002 law declares the national system of education as "secular" and does not restrict citizens' access to education based on their religious beliefs. According to OPRRNA, homeschooling for religious reasons is not provided for by laws due to "lack of broad demand." Homeschooling is permitted only for medical reasons. Educational institutions can cooperate with registered religious organizations" with regard for their influence on the formation of spiritual, cultural, and state traditions of the Belarusian people" which in practice refers to traditional faiths, primarily Orthodox. School administrators may invite Orthodox priests to lecture to students, may organize tours to Orthodox facilities, and may choose to participate in Orthodox festivities, programs, and humanitarian projects. Protestant religious leaders expressed their concerns that such practices discriminated against children that belonged to faiths other than Orthodox. During his trip to Hrodna on December 6-8, Zyanon Hrakhaleuski, prefect of the Congregation for Catholic Education, called upon the government to respect the rights of parents to send their children to religious schools.

The government observes the following religious holidays as national holidays: Orthodox Christmas, Orthodox Easter and Catholic/Protestant (Western) Easter, Radonitsa (Great Tuesday or Easter of the Dead) or Orthodox Remembrance of the Ancestors Day, and Catholic/Protestant (Western) Christmas.

While the constitution provides for the right to alternative civilian service, the law does not mention conscientious objectors or provide an implementation of that right. Persons charged with draft evasion face penalties ranging from fines to five years in prison.

Restrictions on Religious Freedom

The government enforced existing legal restrictions on religious freedom strictly yet selectively. Additionally, the government sometimes was responsible for and regularly failed to condemn acts of religious insensitivity or intolerance. The government frequently referred to religious groups other than Orthodoxy, Catholicism, Lutheranism, Judaism, and Islam, which are accorded special recognition in the law, as nontraditional and widely used the derogatory term "sect" when referring to such groups, although it is not an official designation.

The government, in particular its ideology officers, targeted and harassed unregistered religious communities. Ideology officers are charged with promoting official state ideology and work at all levels of government and in all state enterprises and institutions.

During the reporting period, the government monitored peaceful minority religious groups, especially those labeled as foreign or cults. Credible sources reported that state security officers often attended Protestant services to conduct surveillance.

A government decree specifies measures to maintain public order and safety during general public gatherings. Some officials cited the decree as a basis for canceling or refusing to extend agreements with religious groups for the use of their facilities. During the reporting period, it remained difficult, particularly for unregistered groups, to rent a public facility and obtain official permission to hold religious services in leased facilities. Protestant communities suffered most from this decree, since they were less likely to own property and needed to rent public space when their members were too numerous to meet in private homes.

Many traditional and nontraditional religious groups continued to experience problems renting, purchasing, or registering properties to establish places of worship or to build churches, as well as difficulty reacquiring state-controlled religious properties. Groups also encountered difficulty legally converting residential property to religious use; the housing code permits the use of such property for nonresidential purposes only with the permission of local executive and administrative bodies. As a result, several Protestant churches and nontraditional groups were at an impasse -- denied permission to convert their properties to religious use because they were not registered, but unable to register due to the lack of a legal address. Such groups often were obliged to meet in violation of these requirements or in the homes of individual members.

The government did not return buildings seized during the Soviet and Nazi periods, if it had nowhere to move the current occupants. For example, most of the Jewish community's requests for the return of synagogues, which were in use as theaters, museums, sports complexes, and a beer hall, have been refused.

No decision about the future of a former Bernardine monastery complex in downtown Minsk, set to be converted into a hotel and an entertainment center, was reached by the end of the reporting period. On August 4, an employee of the construction company in charge of the project stated that the complex would not be returned to the Catholic community. He also noted that the complex would host museums to display archeological items found during ground works. On October 6, Archbishop Tadeusz Kondrusiewicz yet again urged the government to return the buildings to the community and denounced city government's "offensive" plans to convert the former monastery into a hotel. Separately, the state-controlled company that is authorized to restore and manage historic buildings in Minsk was charged with illegal ground works at the site of the monastery on June 30; however, no penalties or repercussions followed. Independent heritage

preservation activists stated that the company commenced digging on the site to clear the foundations of the complex with no prior archeological exploration or relevant supervision of archeologists.

By law, citizens are not prohibited from proselytizing and may speak freely about their religious beliefs; however, in practice authorities often interfered with and sometimes punished some individuals who proselytized on behalf of registered or unregistered religious groups. Authorities regulated every aspect of proselytizing and literature distribution.

Authorities continued to warn Jehovah's Witnesses communities against distributing religious literature on the street. A community in Mahilyou received a written warning from a local religious affairs official on February 23 that one of their members was offering their literature on the street on January 19, without permission from the local government, and the community could be liquidated. On July 16, the Mahilyou Regional Court rejected the community's appeal to challenge the warning, alleging that there were no legal grounds to allow for civil suits against such warnings. On August 23, the Supreme Court turned down the Mahilyou Jehovah's Witnesses further appeal. On June 29, in a similar case in Homyel, the regional prosecutor's office dismissed the local Jehovah's Witnesses community's complaint about a warning. The community submitted an appeal to the general prosecutor, and on October 6, Deputy General Prosecutor Alyaksey Stuk informed them by letter that their complaint against the refusal of the courts to allow them to challenge the warning was rejected.

Foreign missionaries, clergy, and charity workers faced government obstacles, including deportation and visa refusal or revocation. The guidelines affect Roman Catholic and Protestant denominations the most, reducing the number of Roman Catholic clergy and limiting the humanitarian and charitable projects of western Protestant churches.

Observers expressed concern that arbitrary application of government visa regulations affected the ability of missionaries to live and work in the country.

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. There were also credible reports that security personnel followed foreign workers and monitored services led or attended by foreign workers.

The government continued to use textbooks that promote religious intolerance, especially toward nontraditional religious groups. Leaders of Protestant communities criticized language in the textbook *Basics of Home and Personal Security* as discriminatory against Protestants, particularly the chapter entitled "Beware of Sects." The chapter includes a paragraph labeling groups such as Seventh-day Adventists, the Church of Maria, White Brotherhood, and Jehovah's Witnesses as sects. The Ministry of Education continued to use the textbook *Man, Society, and State*, which labels certain Protestant denominations and Hare Krishnas as sects, despite protests by religious groups. The government made no changes to these books despite the Protestant communities' requests.

On August 27, authorities in Mazyr denied permission for activists to hold a commemoration rally to mark the 69th anniversary of the self-immolation of local Jews on August 31. The chair of the local government suggested timing the rally with the events related to the Holocaust Remembrance Day on April 23, 2011.

Abuses of Religious Freedom

There were reports of abuses of religious freedom in the country, including detainees. The government continued to violate the religious rights of members of several religious groups. As in the past, the most common charge against religious leaders was organizing or hosting an unauthorized meeting, a charge that arises from a law circumscribing freedom of assembly. The law allows persons to gather to pray in private homes; however, it imposes restrictions on holding rituals, rites, or ceremonies in such locations and requires prior permission from local authorities. Protestant and non-BOC Orthodox congregations were frequently fined or warned for operating illegally during the reporting period.

On July 19, the Homyel KGB office warned five persons, including two Russian citizens, that they could be held criminally liable for running "an occult sect" called the Synthesis Teaching, which was founded in Russia in the mid-1990s. The 20-plus-member group reportedly operated in the cities of Zhlobin, Svetlahorsk, and Rahachou and intended to obtain registration as a nonreligious, not-for-profit organization. On October 7, the press reported that an economic court in Homyel fined the two sect leaders 3,150,000 rubles (\$1,038) for illegal business activities, citing their alleged profit of more than 5,500,000 rubles (\$1,812).

On November 16, 2009, the Supreme Court upheld a 140,000 ruble (\$46) fine against Lyudmila Batsyuk, the coordinator for the Belarusian Christian social organization Cliff House, for organizing an illegal religious group and engaging individuals in illegal religious activities. There have been no further developments in this case.

The government often restricted peaceful assembly for religious activities.

In September the unregistered Belarusian Christian Democracy (BCD) party members, the unregistered Malady Front youth group, and other democratic activists staged a number of unauthorized protests against Minsk city authorities' plans to convert the former Bernardine monastery into a hotel and entertainment center. The BCD and Malady Front promote Christian beliefs, family values, and religious freedom and continued to urge the government to return the monastery buildings to the Roman Catholic community. Although most of the demonstrations proceeded peacefully, on September 16, security forces detained at least 18 activists on their way to the protest, fingerprinted them at a police station, and released them without charges hours later. Opposition activist Vyachaslau Siuchyuk complained that his wife and son were beaten when they attempted to enter the precinct. On September 20, BCD co-chair Pavol Sevyarynets, three Malady Front leaders, and at least five other activists were brutally apprehended, reportedly battered in a police bus, and harassed at a precinct. The next day police officers detained seven activists, including BCD co-chair Vital Rymasheuski, on their way to the venue for more than two hours and released them without charge. On October 2, four Malady Front activists were detained for three hours for disseminating printed materials about demonstrations at the Bernardine monastery. Police threatened the youth with expulsions from universities and dismissals from their jobs if they continued political activities. The activists collected 6,500 signatures in support of their petitions to return the monastery to the Roman Catholic community and submitted more than 10 appeals to the parliament, presidential administration, and other state agencies. Authorities hampered the peaceful collection of signatures on numerous occasions. For example, Christian democrat Mikalay Bausyuk was detained at a bus station in Hrodna on August 8. Police confiscated religious printed materials and 70 blank forms for signatures and released Bausyuk a couple of hours later with no charge.

On September 15, activists delivered copies of 4,000 signatures to the presidential administration, the parliament, and the diplomatic mission of the Vatican in Belarus. Security service officers closely monitored and filmed the procession. Earlier, sheets containing 1,000 signatures were mailed to the presidential administration and 1,500 signatures collected in the Hrodna region were sent to authorities via the local Catholic Church.

In April 2009 local authorities demolished a 19th century wooden synagogue allegedly due to its poor condition and "lack of historical or cultural value." Heritage preservation activists protested the destruction and urged the government to erect a memorial sign at the site. No memorial was erected to commemorate the destroyed synagogue. No further developments were reported.

In July 2009 police briefly detained Pavol Sevyarynets, co-chair of the unregistered BCD party, and three other activists, during a Catholic festival in Budslau. Officers confiscated 30 copies of the party's newsletter and interrogated the activists. No charges were brought against them. No further developments were reported.

In August 2009 Navapolatsk authorities revoked for the third time a land permit issued earlier to the local Protestant Grace Church for building a church although the community had invested approximately 86 million rubles (\$28,345) in a project design and had other relevant documents approved by the authorities. On October 19, 2009, Navapolatsk authorities claimed that their earlier permit was issued in violation of city planning regulations. Bishops of the Union of Evangelical Faith Christians appealed to President Lukashenko for assistance, urging him to provide a land plot to the church in Navapolatsk. No further developments were reported.

In September 2009 a Minsk district court fined Pastor Hancharenka 420,000 rubles (\$138) for denying government officials access to the premises of the Charismatic New Life Church (NLC). In December 2009 an appellate panel of the Supreme Economic Court upheld the October 2009 eviction order of the community. After the community defied the eviction orders and decided to ban any officials from their property, environmental officials took samples of soil from the dirt road leading to the NLC and charged the community with contaminating the area with petroleum products. On February 26, a Minsk district court fined the NLC 8.75 million rubles (\$2,884) for pollution and ordered it to pay 257million rubles (\$84,700) in environmental damages and litigation costs. On March 26, the Minsk City Court dismissed the NLC's appeal challenging the two fines.

On February 2, three Jehovah's Witnesses in Kastyukovichy lost their appeal against a fine of 140,000 rubles (\$46) for praying and studying the Bible in one of their homes. No further developments were reported.

On July 12, the Supreme Court rejected the NLC's appeal against the environmental penalty of 8.75 million rubles (\$2,884). On July 29, the Minsk City Economic Court ordered the NLC to pay environmental damages and 8 million rubles (\$2,637) in litigation costs. On August 8, the community decided against filing appeals to challenge court rulings and paying either fines or damages arguing that if there was any pollution at the site, it dated from the time before the NLC owned the property, and the NLC kept the premises in good order. On August 24, the community denied access to its building to four representatives of local authorities, including police, tax inspection, and emergency management department officers, who allegedly intended to inspect facilities where the NLC served lunches to the homeless. NLC lawyer Syarhey Lukanin told the officials that the food was served outside twice a week. On August 31 the NLC's accountant was informed that the government had frozen the NLC's bank accounts, and taken the available balance of 935,000 rubles (\$308) in NLC members' donations. On September 7, a senior emergency management official told pastor Hancharenka that he wished "to begin a dialogue" on how to ensure fire safety in the church building.

On November 18, the NLC's accountant was summoned to a marshal of the Minsk City Economic Court and questioned in connection with the NLC failure to pay the fine of 8.75 million rubles (\$2,884).

On February 11, riot police briefly detained Syarhey Lukanin and two associates for holding a public evangelical service in central Minsk. Police threatened Lukanin with criminal charges for illegal street preaching and dispersed the gathering but released the three without charge. No further developments were reported.

On March 26, a court in Babruisk found local leader of Jehovah's Witnesses Vasil Paluyanau guilty of illegal religious activities and fined him 175,000 rubles (\$58) for holding a Jehovah's Witnesses community meeting in a private home. According to the Forum 18, a Norwegian nongovernmental organization that reports on religious freedom in post-Soviet states, the Mahilyou Regional Court granted Paluyanau's appeal of the fine, in which he argued that the original investigation that claimed to prove his guilt was incomplete and subjective. No further developments were reported.

On May 14, a court in Navahrudak fined Uladzimir Kachahur, the pastor of the New Generation Church, 700,000 rubles (\$230) for holding services without permission from the local authorities. Kachahur's neighbor complained to the police that the pastor purportedly organized night religious Masses and assembled believers to listen to religious music. In

addition Kachahur's wife was denied a job at a local mail office on April 20, without any explanation. Kachahur linked the refusal with his family's religious and civil activities and appealed to a higher court. On June 13, the Hrodna regional court annulled the first verdict and returned the case to be reheard by a different judge at the court in Navahrudak. On July 1, the latter court found Kachahur not guilty of any offense due to the lack of evidence.

On June 8, a court in Salihorsk found two registered Pentecostal churches guilty of using their land plots for wrongful purposes, in particular to facilitate worship in the properties. The church in the village of Haurylchytsty and the church in the village of Chyrvonaya Slabada each use a private home they remodeled for worship. Each congregation was fined 700,000 rubles (\$230). On July 6, the Minsk Regional Court upheld the fines stating that both buildings were private homes and the land on which they stood could only serve to support domestic use of the home.

From January 2008 through June 2010 the government imposed fines ranging from 140,000 to one million rubles (\$46 to \$330) on the leaders of various congregations for holding worship services in private homes or other unauthorized locations, or for other unauthorized or illegal activities. The affected denominations were the Baptist Council of Churches congregation, the Jehovah's Witnesses, Pentecostal congregations, the Full Gospel New Generation Church, the Full Gospel Protestant Church, the Breakthrough Protestant Church, and the New Generation Church. Police also raided homes where services were being held, interrogated church members, and confiscated Christian books and films and equipment. In August 2009 authorities broke into the private home of God's Church pastor Alyaksandr Vyalichka, dispersed a meeting of community members, and threatened them with repercussions. No further developments were reported in any of these cases.

On February 11, authorities seized six copies of the documentary "The Forbidden Christ" from Alyaksey Shein, a co-chair of the unregistered BCD party, as he was leaving the country, and sent those copies for "expert analysis" to the Hrodna regional KGB office, which reportedly found nothing against the law in the film. According to Forum 18, customs officials cited regulations requiring state agencies to work together "with the aim of countering extremist activity in relation to printed or audiovisual materials brought through customs containing information which could cause harm to the political or economic interests of Belarus, its state security or the health and morals of its citizens." On September 9, OPRRNA prohibited showing the documentary produced by Shein at the international Christian film festival Magnificat. Otherwise, OPRRNA threatened to close down the festival. The documentary features the life of Protestant communities and persecution against them in the Soviet Union and tells their stories of survival in labor camps and prisons. It is based on archive footage of the trials of Protestant leaders, and 20 interviews with historians and victims of Soviet anti-religious policies.

On May 23, police and two ideology officials detained three members of the Baptist Council of Churches in the town of Drahichyn for operating a Christian street library. Two members were charged with violating regulations for holding demonstrations. On June 29, a Pentecostal Pastor Viktor Novik was fined 2.1 million rubles (\$692) on a similar charge. Novik said that he would temporarily stop active proselytizing to avoid prosecution. Additionally, local ideology and cultural affairs officers continued to deny Novik and his associates the ability to rent public premises for evangelical services, citing that such premises may only be used for secular purposes. No further developments were reported in either case.

On August 24, pastor of the Grace of Jesus Pentecostal church in Krupki Mikalay Barycheuski appealed to a district court to challenge an August 12 fine of 700,000 rubles (\$230) for providing home-made meals in unsanitary conditions to summer bible school students. Chief sanitary officer in Krupki, Alyaksandr Khadarovich, charged Barycheuski with serving students meals that were purportedly prepared without special "authorization." On August 30, the court rejected the appeal; however, Barycheuski received the judgment three weeks later, which prevented him from appealing within the 10-day period allowed. Barycheuski also said that local officials "insisted" that the church needed permission to run the summer school and refused to provide officials with the list of names of the students. The pastor expressed concern that

photographs of children who attended the summer camps and schools were reportedly given to their elementary, junior, and high schools. Nevertheless, he said there were no threats from local authorities during the year that children could be taken away from their parents and sent to children's homes. Conversely, such threats were made in 2008 and 2009 to deter children from attending the church.

In November 2009 a court in Homyel fined Zmitser Smyk, a member of Jehovah's Witnesses, 3.5 million rubles (\$1,154) for alleged draft evasion. Smyk sought alternative civilian service, citing his religious beliefs. On May 31, Smyk was acquitted of draft dodging charges after his multiple appeals. On July 16, the Homyel Regional Court rejected the appeal submitted by prosecutors against the acquittal of Smyk.

In July 2009 the Vitsyebsk Regional Court found local human rights advocate Leanid Svetsik guilty of inciting religious and ethnic discord and fined him 31 million rubles (\$10,217). In 2006 and 2007 Svetsik had provided legal counsel to local democratic activists who received letters with threats from the unregistered profascist Russian National Unity group and unsuccessfully appealed to the prosecutors. The court declared that Svetsik had written and disseminated the letters himself. No further developments were reported.

On March 18, authorities executed with a shot to the back of the head Andrey Zhuk and Vasil Yuzepchuk, convicted of murder and sentenced to death. Zhuk's mother Svyatlana appealed to the Interior Ministry to release her son's body or to inform her of where he was buried so she could bury him according to Orthodox traditions. She was denied a right to a religious burial due to a provision in the Criminal Enforcement Code that bodies shall not be handed over for burial and that the location of burial shall not be communicated. On October 4, Svyatlana Zhuk filed a suit to a court in Minsk to challenge the Department for the Execution of Punishments decision.

Improvements and Positive Developments in Respect for Religious Freedom

On October 6, Archbishop Tadeusz Kondrusiewicz said that the government allocated six new land plots in Minsk for the construction of new Catholic churches in the city suburbs. He also lauded improving relations between the state and the Catholic Church.

On November 5, the Mahilyou Jehovah's Witnesses told Forum 18 that authorities registered their community in Kastsyukovichy, where members had been fined and raided for worshiping without state registration in 2009.

In December the Union of Jewish Religious Congregations announced that the government returned to them a building that was formerly a synagogue in Iryanets. The building had been used to house a city club and will reportedly be renovated to accommodate a prayer hall and a center for Western Belarus Jewish history studies.

Section III. Status of Societal Actions Affecting Enjoyment of Religious Freedom

There were reports of societal abuses or discrimination based on religious affiliation, belief, or practice. Anti-Semitism and negative attitudes toward minority religious groups persisted. Neo-Nazis were widely believed to be behind numerous attacks by vandals, particularly in targeting Jewish sites, and engaged in activities promoting religious intolerance and ethnic discord.

On July 27, police in Zaslauye reportedly arrested a local resident on the charges of vandalizing and stealing religious paraphernalia from a Roman Catholic church in October 2006. According to OPRRNA, he was found guilty and convicted of vandalism.

On August 23, vandals destroyed more than 70 tombstones at a Catholic cemetery in Brest. Police reportedly launched an investigation after an appeal from the local Polish Consulate and charged three minors with vandalizing the cemetery. This was the first incident of vandalism at this cemetery, which is protected by the government as having historic and cultural

value. On November 9 the Interior Ministry announced that 40 criminal cases were opened to investigate incidents of vandalism at cemeteries across the country during the year. OPRRNA reported in December that 21 incidents of cemetery vandalism occurred in the reporting period. Investigations in 12 cases were suspended and one criminal case was closed.

On October 8 independent press reported that neo-Nazi graffiti appeared on industrial buildings in Pinsk and local authorities took no steps to remove the slogans or identify the vandals.

On December 22 Jewish leader Yakau Basin submitted an appeal to the General Prosecutor's Office seeking to open an investigation into vandalism and the promotion of Nazism. Basin reported that swastikas and neo-Nazi graffiti appeared near the door to his apartment and said that the act of vandalism was "a direct threat" to him.

The Jewish community continued to express concern over the concept of a "greater Slavic union" popular among ultranationalist organizations active in the country, including the Russian National Union. Jewish leaders petitioned the authorities to investigate neo-Nazi activities, citing continued vandalism, anti-Semitic graffiti, and threats to civil society and religious congregations. There was limited progress compared to previous reporting periods.

Authorities only sporadically or ineffectively investigated anti-Semitic acts. Neo-Nazi activity, which authorities typically characterized as hooliganism, also occurred.

The official BOC Website continued to honor Hauryl Belastoksky, a young child allegedly killed by Jews near Hrodna in 1690, as one of its saints and martyrs. A memorial prayer to be said on the anniversary of his death alleges the "martyred and courageous Hauryl exposed Jewish dishonesty."

Historically, the country has been an area of both interaction and conflict between Belarusian Orthodoxy and Roman Catholicism, although relations between the two groups improved during the reporting period.

Section IV. U.S. Government Policy

The embassy continued to promote fundamental human rights, including the inalienable freedom of conscience. Embassy staff maintained regular contact with representatives of religious groups and met with resident and visiting U.S. citizens of various affiliations to discuss religious freedom issues in the country. 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 on the Protestant community. The U.S. government denounced incidents of anti-Semitism and took action to help prevent future acts, including following up on reports of desecrated Jewish memorial sites and cemeteries. The embassy monitored the continuing sale of anti-Semitic and xenophobic literature in stores and state media distributors. Political officers discussed religious violations with religious freedom campaigners, religious lawyers, and activists who coordinate the For Freedom of Religion initiative. The For Freedom of Religion initiative is an unregistered group of Belarusian civil society activists who promote religious tolerance and religious freedom.

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

[Back to Top](#)