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Member State Belarus

Submission of Jubilee Campaign USA, Inc.

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Jubilee Campaign promotes the human rights and religious liberty of ethnic and religious minorities; advocates the release of prisoners of conscience; and protects and promotes the freedom and safety of children from bodily harm and sexual exploitation.

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Jubilee Campaign USA, Inc., in special consultative status with ECOSOC, submits this analysis of religious freedom and human rights in Belarus as a contribution to the Universal Periodic Review of UNHRC member-state Belarus.

Freedom of Religion

1. The Belarus government has consistently violated the Constitutional guarantees to free religion and free expression of religious groups and impedes the process for religious groups to register officially with the government. President Aleksandr Lukashenko and his small circle of advisors continue to undermine the freedom of religion by allowing the religion law from 2002 to prohibit religious minority groups from meeting and promote the State and the Ideology Department as the decider of proper religious Orthodoxy despite claiming a democratic state.
2. Belarus' religion law, passed in October 2002, prohibits "all religious activity by unregistered groups, any activity by religious communities except in areas in which they are registered, foreign citizens from leading religious activities, and unapproved religious activity in private homes, with the exception of small, occasional prayer meetings."¹ Offenses are punishable by a fine or imprisonment.
3. In October, a prosecutor from the Chausy District, arranged a raid on a Protestant Sunday worship service. New testaments and Christian books were confiscated according to police to "prevent them from continuing their worship service."² Six hours later, police were still present at the house church location without any explanation and the church pastor may face further punishment for his ideology.
4. A congregation from the New Life Full Gospel Church faces expulsion by authorities in the capital of Belarus, Minsk.³ The church has owned its property since 2002 and has evaded recent demands to rescind the land to the authorities.
5. In July, a foreign priest was banned from preaching at a church in Minsk and the church faced charges by the secret police (KGB) that it would potentially be shut down.

¹ United States Commission on International Religious Freedom, *Belarus*, <www.uscirf.gov>, Posted in Annual Report 2009.

² Corley, Felix "Belarus: To prevent them from continuing their worship service." *Forum 18 News Service*. 30 October 2009. available at http://www.forum18.org/Archive.php?article_id=1370.

³ Corley, Felix "Belarus: Authorities prepare again to expel New Life church from its own building." *Forum 18 News Service*. 24 August 2009. available at http://www.forum18.org/Archive.php?article_id=1339.

Surveillance of this governmental body greatly targets religious gathering places with no respect for free expression of religion. Two warnings can lead to a religious organization being closed down.

6. Jubilee Campaign calls on the government of Belarus to denounce its restrictive laws which require high numbers to register religious groups as this violates the freedom to practice one's religion.
7. Jubilee Campaign further calls the government to practice non-discrimination among religious groups, allowing each to practice and proclaim his faith without prejudice and to cease surveying peaceful groups who are assembling peacefully to practice their faith.

Freedom of Assembly

1. The religion law and police enforcement and surveillance create heavy restrictions on the freedom of assembly by raiding church house meetings and imposing high fines for assembling non-registered churches.
2. In August 2009, two local Baptists were charged a month's average salary for using their home for religious worship.⁴ Police in Malorita attempted to prosecute Baptists for singing hymns in the street. In June 2009, a local Baptist church was given the highest fine of nearly 3 months' wages for an unregistered church violation.
3. The OSCE Office in Minsk Spot Report showed police forcefully dispersed peaceful demonstrators protesting these arrests in central Minsk on February 14 and 16⁵.
4. The government of Belarus must lift restrictions on the freedom of assembly and allow for peaceful dialogue to occur between religious groups. Even the mainline Belarusian Orthodox Church (BOC) has been restricted, facing raids on its prayer meetings, and being encouraged to cease commemorating BOC events.
5. The government must allow churches to be independent of the government and stop denying registration privileges or performing raids on groups who attempt to follow the rules and register.

⁴ Corley, Felix "Belarus: Fines on religious activity continue as pastors complain to president of restrictions." *Forum 18 News Service*. 25 August 2009. available at http://www.forum18.org/Archive.php?article_id=1340.

⁵ Statement from the U.S. Mission to the Organization of Security and Cooperation in Europe, available at http://osce.usmission.gov/media/pdfs/2009-statements/st_030509_belarus.pdf [accessed 5 November 2009].

Freedom of Conscience

1. Over several years, the Belarusian government has ordered short-term detentions and imprisonment of church leaders and parishioners for unregistered religious activity and continues to hold people in custody for their differing ideological beliefs.
2. On 8 October 2009, Jehovah's Witness, Dmitry Smyk, was put on trial as a conscientious objector to military service. He has offered to serve in an alternative service, which is permissible by law, but no mechanism is in place for him to do so and has been put on criminal trial.⁶
3. An official from the Ideology Department of the Regional Administration admitted that the only reason for the actions taken against unregistered congregations is because it violates the law, yet no efforts by the government have been made to change this repressive law.
4. Campaigners for changes to this law were denied permission to rent a conference centre in Minsk for a meeting on 27 October. Reportedly, the City Executive Committee was responsible.
5. In a statement on the arrest of political prisoners in Belarus, the United States Mission to the OSCE noted the positive release of a former Presidential candidate and the allowance of two independent newspapers to be published.
6. These positive steps were offset by the arrest of Yuri Leonov and Nikolay Avtukhovich, and Vladimir Osipenko. Leonov and Avtukhovich were former political prisoners and now the three are accused of being part of an alleged arson case from several years ago.⁷
7. Three youth activists, two of whom had medical exemptions from military service, Franak Vyachorka, Ivan Shyla, and Zmitser Fedaruk, were forcibly drafted into the military against their personal beliefs or preferences.⁸

⁶ Corley, Felix "Belarus: Fines on religious activity continue as pastors complain to president of restrictions." *Forum 18 News Service*. 25 August 2009. available at http://www.forum18.org/Archive.php?article_id=1364.

⁷ Statement from the U.S. Mission to the Organization of Security and Cooperation in Europe, available at http://osce.usmission.gov/media/pdfs/2009-statements/st_030509_belarus.pdf [accessed 5 November 2009].

⁸ Statement from the U.S. Mission to the Organization of Security and Cooperation in Europe, available at http://osce.usmission.gov/media/pdfs/2009-statements/st_030509_belarus.pdf [accessed 5 November 2009].

Summary of Recommendations

1. Jubilee Campaign calls on the government of Belarus to denounce its restrictive laws which require high numbers to register religious groups as this violates the freedom to practice one's religion.
2. Jubilee Campaign further calls the government to practice non-discrimination among religious groups, allowing each to practice and proclaim his faith without prejudice.
3. The government of Belarus must lift restrictions on the freedom of assembly and allow for peaceful demonstrations without the threat of arrest or violence.
4. The government must release those who have been arbitrarily detained for petitioning the government or for practicing their faith.
5. Jubilee Campaign calls on the government to allow for freedom of expression for all citizens, including journalists and religious leaders.
6. Jubilee Campaign implores the government of Belarus to amend the laws, which permit arbitrary raids and surveillance on church activities. The KGB must no longer be enabled to abuse its powers and must stop investigating under the branch of the Ideology Department.