



This article was published by F18News on: 11 September 2003

BELARUS: Local re-registration barely begun

By Geraldine Fagan, Forum 18 News Service <<http://www.forum18.org>>

Ten months after the highly restrictive religion law came into force and the compulsory re-registration process began, Forum 18 News Service has learnt that only a small proportion of religious organisations have re-registered. Only 27 of 140 have re-registered at national level, while progress is especially slow for those that must re-register with the local authorities. "Things aren't moving at the local level," Bishop Sergei Khomich, head of the Pentecostal Union, complained to Forum 18. As the new law criminalises unregistered religious activity, re-registration is essential to the continuing legal operation of individual religious organisations.

Almost halfway through the compulsory re-registration period allotted to religious organisations by the highly restrictive new religion law adopted last October, only a small proportion have re-registered, with progress especially slow at the local level. Representatives of two major denominations - the Baptist and Full Gospel Churches - told Forum 18 News Service that they are currently declining to submit re-registration applications at the republican level. As the new law criminalises unregistered religious activity, re-registration is essential to the continuing legal operation of individual religious organisations.

The religion law envisages two levels of re-registration prior to its 16 November 2004 deadline. Organisations containing ten or more affiliate local communities in at least four of the country's six regions (one of which must have functioned in Belarus for at least 20 years) must re-register with the main government body dealing with religious organisations, the State Committee for Religious and Ethnic Affairs. The same applies to monasteries and monastic communities, brotherhoods and sisterhoods, missions and religious educational institutions. Local religious communities, however, must re-register with regional executive committees or, if they are located in the capital, with Minsk City Council.

Russia's 1997 law on religion contained a broadly similar arrangement. Formally, it did not make re-registration at the local level any easier for communities affiliated to religious organisations that had already re-registered at the federal level. In practice, however, affiliation to a centralised religious organisation almost always acted as a rubber stamp for successful re-registration at the local level. This appeared to be the indirect consequence of a November 1999 decision by Russia's Constitutional Court, which ruled that local religious organisations less than 15 years old should nevertheless retain full legal rights following re-registration if they were affiliated to a centralised religious organisation.

No such ruling exists in Belarus, however. Minsk-based lawyer Dina Shavtsova confirmed to Forum 18 in June that nothing in the new religion law obliges regional executive committees to regard affiliation to a religious organisation that has re-registered at the republican level as automatic grounds for re-registering a local community. She maintained, however, that the State Committee for Religious and Ethnic Affairs was nevertheless "quickly trying to re-register as many republic-wide religious organisations as possible" due to concern from the West.

The chairman of the State Committee for Religious and Ethnic Affairs, Stanislav Buko, told Forum 18 from Minsk on 9 September that to date 27 religious organisations - the Belarusian Orthodox Church and its ten dioceses, the Conference of Catholic Bishops in Belarus and its four dioceses and two seminaries, the Judaic Religious Association, the Conference of Churches of Seventh-Day Adventists and the Pentecostal Union and its six regional branches - had re-registered at the republican level.

Buko added that the total number of religious organisations liable to re-registration by his committee under the new law is 140. He said re-registration applications by the Jehovah's Witnesses, the Union of Judaic Religious Communities and the Baptist Union and its six regional branches are currently under consideration.

Buko maintained that he was unaware of how re-registration was progressing at the local level, and pointed to a forthcoming meeting hosted by his committee when "we shall find out". He reported that the meeting, to be held on 12 September, is to be attended by regional religious affairs officials and representatives of religious organisations.

Forum 18 has found, however, that re-registration at the local level is proceeding very slowly, even for those affiliated to

organisations that have already re-registered at the republican level. Andrei Petrashkevich, the press secretary to the Belarusian Orthodox Church, told Forum 18 on 25 August that the re-registration of the country's 2,200 Orthodox parishes has "only just begun" following the adoption of a new standard parish charter.

Cardinal Kazimierz Swiatek, leader of the Catholic Church in Belarus, told Forum 18 from Pinsk on 4 September that his Church's 400 parishes are also only now preparing and submitting re-registration documentation after the adoption of a new standard parish charter. Not one parish has yet re-registered, he said.

The head of the Judaic Religious Association, Yuri Dorn, confirmed to Forum 18 on 26 August that his organisation had successfully re-registered at republican level in November 2002, soon after the new religion law came into force. Yet of its 16 local affiliate organisations only two have re-registered, he added.

Moisei Ostrovsky, the head of the Conference of Churches of Seventh-Day Adventists, told Forum 18 on 21 August that his organisation had re-registered at the republican level on 22 April. Locally, however, re-registration has "only just started," he remarked, with only eight out of 70 affiliated Adventist communities having received local re-registration so far.

"Things aren't moving at the local level," Bishop Sergei Khomich, head of the Pentecostal Union, declared about the re-registration process. None of the organisation's approximately 470 affiliate communities has re-registered so far, he told Forum 18 on 21 August, though he acknowledged that he did not know how many have submitted applications.

The Full Gospel Church has not applied for re-registration at the republican level, Bishop Aleksandr Sakovich of the Full Gospel Union told Forum 18 on 5 September. On 16 June, the bishop wrote an open letter to Buko complaining that local authorities routinely refuse his Church permission to hold religious events, with ten congregations "unable to function normally" for the past three years in Minsk alone (see F18News 1 September 2003). As a result, he concludes in the letter, "legal personality status is losing its significance for the activity of our communities".

On 13 June, the chairman of the Baptist Union wrote an open letter to Buko complaining about discriminatory provisions within the new religion law and stating that "religious communities and organisations cannot accept obligations stipulated by a law which groundlessly restricts the basic rights and freedoms of citizens to freedom of conscience and religious belief". Re-registration according to the new law, Nikolai Sinkovets concluded, therefore "puts us in a difficult position," since some of the law's provisions "are incompatible with the religious convictions of believing citizens".

The press secretary to the Baptist Union, German Rodov, insisted to Forum 18 on 10 September that his organisation had not, in fact, submitted any re-registration application to the State Committee for Religious and Ethnic Affairs. Precisely because there was nothing in the November 2002 law obliging regional executive committees to re-register local religious communities by dint of affiliation to a re-registered republic-wide organisation, he explained, the Baptist Union had decided "not to re-register at the republican level unless all our member churches are re-registered first." This process has only just begun, said Rodov, adding that he did not know how many local communities had re-registered to date.

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f18news @ editor.forum18.org

Forum 18
Postboks 6603
Rodeløkka
N-0502 Oslo
NORWAY