

# briefing

## Belarus

*New Life Church Case*

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## **I. Introduction**

On March 25<sup>th</sup> 2007 the Belarusian opposition celebrated the anniversary of the country's independence in 1918 and the establishment of the first Belarusian People's Republic.

This year, the date, also known as "Freedom Day," marked the one year anniversary of the flawed presidential election of March 2006 and the continuity of what many refer to as Europe's last dictatorship.

The President of the European Commission, Manuel Barroso, has said that the EU is ready for a "full partnership" with Belarus and has promised financial aid if the country takes measures towards democratisation. However, reports of new arrests, the disappearance of human rights activists and the imprisonment of political prisoners seem to indicate that Belarus is not prepared to make these reforms.

In addition, reports from news agency Forum 18, note a deterioration of religious liberty in the country. Religious freedom is guaranteed by the Belarusian Constitution; however, a religious law adopted in 2002 which violates a number of international conventions to which the country is party, severely restricts the rights of believers by prohibiting religious meetings in private premises and censoring religious literature. Protestant churches in particular have faced increasing persecution as a consequence of this law.<sup>1</sup> In March 2006, Georgi Vyazovski, pastor of the Christ's Covenant Reformed Baptist Church, was sentenced to 10 days of prison for his religious activity. A few weeks later, Sergey Shavtsov, a lawyer specialising in religious freedom issues, was also arrested and sentenced to 10 days imprisonment for organising a religious event. The case of the New Life Church, highlighted later in this brief, gives an example of the many procedural and bureaucratic hurdles that religious groups must manoeuvre, putting many of them in a precarious legal situation.

According to a 2006 religious survey carried out by Forum 18, Protestants claim that the State has created absurd conditions, beyond administrative procedures, which greatly hinder freedom of worship. Roman Catholic churches have also reported serious problems. Protestants, Roman Catholics and members of other minority faiths regularly report problems with registration and use of premises particularly in the regions of Minsk. New Life Church has become emblematic of many of the problems that these groups face, and because of this has received support from a number of unrelated denominations in and outside of Belarus.

## **2. The Case of the New Life Church**

On 5 April 2007, the congregation of the New Life Church received the news that the Supreme Economic Court had suspended their case. Previously members of the New Life Church in Minsk had been informed, for the fifth time, that the Supreme Economic Court was unable to render a verdict regarding the Minsk City Executive Committee's decision to deprive their church of the right to use its land and building for religious purposes. Moreover, the judge has suspended the proceedings "because of the need in sending a request to competent authorities to find out their opinion of the situation."

The case of the New Life Church began in October 2006, when the Presidium of the Highest Economic Court, one of the country's highest courts, cancelled all of the verdicts

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<sup>1</sup> Protestant and Roman Catholic churches are often regarded as "foreign religions" although both have a long history in Belarus. The current government has a policy of giving preferential treatment to the Russian Orthodox Church, to the detriment of other religious groups.

issued since October 2005 and initiated a new legal analysis of the situation. In the subsequent court hearings, representatives of the church provided the court with written evidence to corroborate their claim. According to the website, however, Judge E. Korotkevich has yet to receive satisfactory answers from the Minsk Executive City Committee's lawyers and therefore cannot make any decision.

### **2.1. Background**

The New Life Church was founded in 1991 and was officially registered by the Minsk City Council in 1992. It now has a total of 10 branch churches across Belarus and a membership of over 1000.

However, since 1999, and like many other Protestant Churches, New Life has been denied the right to rent premises in the city of Minsk to hold services. The church was therefore obliged to hold its services in the open air until it decided to buy its own building in 2002. The only building it was allowed to buy was a former cow barn located in the Minsk district. According to the Purchasing Agreement, "the building is being purchased with the purpose of reconstructing it for religious usage." Moreover, the Land Allocation Decision allows the construction of other buildings on the land if permitted by the authorities. The Minsk City Council is basing its decision on the provisions of the 2002 religious law according to which religious communities must seek state-approved non-residential premises<sup>2</sup>.

In 2003 and 2004, the Church was officially granted the right to begin construction works by the Committee of Architecture and City Building of Minsk City Executive Committee but these decisions were subsequently cancelled by the Minsk City Executive Committee's Religious Department. In 2004, the building was renovated to comply with Chapter 65 of Belarusian Architectural, Building and City Building Activity however the Minsk City Executive Committee has refused to authorise the use of the building for religious activities.

In 2005, parishioners decided to defy the court decision and hold services inside the building. However, the Minsk City Executive Committee declared that it would force the sale of the building. The New Life Church made repeated appeals against the decision of the Executive Committee but the Court followed the Committee's orders.

The situation grew worse when in September 2006, the government claimed it had transferred payment for the building into the church's bank accounts and ordered the church to vacate the buildings and turn them over to the government.

Having exhausted all legal means, members of the church and the pastor undertook a hunger strike. Fully aware of the possible repercussions of this decision, for them and for their families; protestors nevertheless fasted for 23 days. The strike received great attention within the country and also from the international community. A significant number of Protestants and Catholics from Belarus and neighbouring countries even joined the strike.

Protestors also received visits from Alexander Milinkevich, the prominent opposition leader and winner of the 2006 Sakharov Prize; OSCE representatives as well as European and American embassy representatives.

The hunger strike was suspended with the resumption of new proceedings.

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<sup>2</sup> <http://www.wwrn.org/article.php?idd=23716&sec=59&cont=7>

### 3. Prayer points

- Join members of the New Life Church in their prayers for justice and religious freedom in their country;
- Pray that the Supreme Economic Court would resume the hearing and render a fair and just verdict: to allow New Life Church to use its buildings and land for religious purposes;
- Please also pray for members of all denominations and foreign missionaries who suffer from increasing religious persecution. Pray for strength and wisdom in knowing how to respond to harassment and discrimination;
- Pray for Belarusian President Lukashenko, and for all the citizens of Belarus that God brings them together to put the country on the path to freedom and democracy.

### 4. Action points

- You can send messages of encouragement directly to the church via email at [mail@newlife.by](mailto:mail@newlife.by) and to [imperativ@mail.ru](mailto:imperativ@mail.ru)
- Write to your MP to ensure that they are aware of the case of the New Life Church and to convey their concern to the Belarusian authorities, encouraging them to seek a just solution. To find out who your MP is, you can telephone the House of Commons Information Office on 020 7219 4272. The address is as follows: House of Commons, London, SW1A 0AA.
- Write to your MEP to ensure that they are also aware of the case of the New Life Church. You might ask them to write a letter to the Belarusian authorities or to table a question to the European Commission or Presidency to ascertain what actions the EU has taken on this case. You can find details on your MEP by visiting [www.europarl.europa.eu](http://www.europarl.europa.eu), clicking on the “Your MEP’s” tab, and then clicking on your country, followed by the region. The address for the European Parliament is: European Parliament, Rue Wiertz, 1047 Brussels, Belgium.
- You can also write to the President of Belarus and the Belarusian Ambassador in the UK at the following addresses (a sample letter follows)

#### Addresses and Sample Letter

President Alexander Lukashenko  
Administration of the President of Belarus  
Karl Marx St. 38  
Minsk 220016  
Belarus

And

His Excellency Dr. Alyaksei Mazhukhou,  
Ambassador Extraordinary and Plenipotentiary to the United Kingdom and Ireland  
Embassy of the Republic of Belarus

6 Kensington Court,  
London W8 5DL

Your Excellency:

I am writing to express my deep concern regarding the aggravating situation of religious freedom in Belarus.

I am aware that the 2002 law on “freedom of conscience and the religious organizations” has severely curtailed freedom of religion in the country and infringes Article 18 of the United Nations International Covenant on Civil and Political Rights.

It is my understanding that various religious groups suffer from increasing persecution as a consequence of this law. I am particularly concerned by the case of the New Life Church. Members of the church have been informed that the Supreme Economic Court has eventually decided to suspend the case.

I respectfully request that in your capacity as President of Belarus, you intervene in the situation of the New Life Church and ensure that justice is done through the following actions:

- To ensure that the Supreme Economic Court resume the hearing and render a fair and just verdict which would finally allow New Life Church to use its buildings and land for religious purposes
- To repeal the 2002 law on “freedom of conscience and the religious organizations” which infringes Article 18 of the United Nations International Covenant on Civil and Political Rights to which Belarus has been a party since 1992

Yours sincerely,