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## **BELARUS: Reprieve for Catholic priest who celebrated unauthorised Mass**

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

*Catholic priest Fr Antoni Kochko has not been charged for serving Mass without state permission in the Belarusian capital Minsk, despite a court appearance, Forum 18 News Service has learnt. Fr Antoni could have faced deportation - the punishment for repeat violations or one "crude violation" of a state decree on the activity of foreign religious workers. Fr Antoni was, after saying Mass in a Minsk parish where he does not normally work, approached by a man and woman in plain clothes. They accused him of breaking the law and escorted him to a court. One Belarusian Catholic commented that the pair "are always sitting in our church. You can't fail to spot them." Another priest told Forum 18 that the authorities did check whether priests were serving only at state-approved locations. After just such a check-up, he himself had been recently fined, but he pointed out to Forum 18 that this could be regarded as support - "we know from the Bible that if this is happening you're doing the right thing" - and as a source of income for the law enforcement agencies, "they have to get it from somewhere."*

Despite a Minsk court appearance at 2 pm on Friday 29 September, Catholic priest Fr Antoni Kochko was not charged for celebrating Mass without state permission in the Belarusian capital a week earlier, a local Catholic priest has confirmed to Forum 18 News Service. "The court hearing took place but there was no punishment at all," the priest - who wished to remain unnamed - told Forum 18 on 2 October. "They even said that he could serve wherever he likes on the territory of Belarus." After confirming that Fr Antoni is still in Belarus, the priest apologised to Forum 18 and said that he was unable to say anything else on the subject.

Asked about Fr Antoni Kochko on 2 October, Fr Yuri Kasabutsky, chancellor of the curia for Minsk-Mogilev [Minsk-Mahilyow] Catholic diocese, told Forum 18 that, "everything is fine, we have no problems at all and he'll continue to be our guest in Belarus." Refusing to confirm whether a court hearing had taken place, Fr Yuri apologised that he could not tell Forum 18 any more and put the phone down.

Telephone numbers for Minsk's Moscow District Court, where the hearing took place, went unanswered both on 29 September and 2 October.

While born on the territory of present-day Belarus, as a Polish citizen Fr Antoni could have faced deportation - the punishment for repeat violations or one "crude violation" of a 23 February 1999 Council of Ministers decree controlling the activity of foreign religious workers. Should the State Committee for Religious and Ethnic Affairs grant a religious community permission to invite a foreign religious worker, the decree states, he or she may conduct religious activity only within houses of worship belonging to or premises continually rented by that community. Crucially in this case, the transfer of a foreign religious worker from one religious organisation to another - such as between parishes - requires permission from the relevant state official dealing with religious affairs, even for a single service.

In accordance with this decree, 78-year-old Fr Antoni Kochko has been parish priest in the village of Zamostye (Minsk region) for 15 years. However, he did not have state permission to serve at the Minsk parish of SS Simeon and Helen, where he was asked to celebrate 9 am Mass on Friday 22 September. Fr Antoni was passing through the Belarusian capital, hence the request, the local priest Forum 18 spoke to said.

According to Internet reports - which the local priest Forum 18 spoke to confirmed - a man and woman in plain clothes approached Fr Antoni in the sacristy after Mass. The pair reportedly informed Fr Antoni that he had violated Belarusian law covering religious activity and escorted him to Moscow District Court, where a statement was drawn up against him and a hearing set for 11 am on Thursday 28 September.

Responding to a weblog entry of the incident, a Minsk Catholic commented that the man and woman who approached Fr Antoni "are always sitting in our church (SS Simeon and Helen). You can't fail to spot them - I even bumped into one of them at a demonstration once."

However, the 28 September hearing did not take place, a Belarusian journalist who went to the court then told Forum 18. Court

personnel maintained that they "weren't dealing with any such case right now" and refused to answer questions as to whether they ever had, according to the journalist, leading press representatives to conclude that the Catholic Church and the state "must have come to some kind of private agreement."

Citing "unofficial information", Russian Catholic website Katolik.ru on 28 September reported that "the leadership of the Catholic Church tried to resolve the situation in the Committee for Religious and Ethnic Affairs so as not to drag the case to court." The report added, however, that Vladimir Lameko of the Committee told the Belarusian service of Radio Free Europe on 27 September that he knew nothing about the situation.

Commenting on the regulations of foreign religious workers to Forum 18 on 26 September, the local priest Forum 18 spoke to stressed their incompatibility with the Catholic Church's Canon Law. "A Catholic priest must be able to function wherever he goes, he can't refuse to hear confession, for example. We are not happy with this point in the law and have asked for it to be annulled, but we are ignored." Asked whether Fr Antoni's case was exceptional, the priest told Forum 18 that similar prosecutions "often happen" in Grodno [Hrodna] region, but then qualified this to "several incidents" and added that he did not have any statistics. The consequences ranged from fines to deportation for several years, he said.

Deportations in such cases were "very rare," a Polish Catholic priest who wished to remain unnamed told Forum 18 in Belarus this summer. Asked whether the authorities checked to see if foreign priests were serving only at state-approved locations, he replied, "you have to be very careful, sometimes people check." After just such a check-up, he himself had been fined recently.

The priest did not view this as particularly serious, however. He pointed out that such fines could be regarded as support - "we know from the Bible that if this is happening you're doing the right thing" - and as an inevitable source of income for the law enforcement agencies, "they have to get it from somewhere."

Two Catholic priests were expelled from Belarus at the end of 2005 (see F18News 13 January 2006 <[http://www.forum18.org/Archive.php?article\\_id=715](http://www.forum18.org/Archive.php?article_id=715)>). 12 Polish priests and nuns in Grodno diocese are being threatened with expulsion (see F18News 3 October 2006 <[http://www.forum18.org/Archive.php?article\\_id=850](http://www.forum18.org/Archive.php?article_id=850)>). (END)

For more background information see Forum 18's Belarus religious freedom survey at <[http://www.forum18.org/Archive.php?article\\_id=478](http://www.forum18.org/Archive.php?article_id=478)>.

A survey of the religious freedom decline in the eastern part of the Organisation for Security and Co-operation in Europe (OSCE) area is at <[http://www.forum18.org/Archive.php?article\\_id=806](http://www.forum18.org/Archive.php?article_id=806)>.

A printer-friendly map of Belarus is available at <<http://www.nationalgeographic.com/xpeditions/atlas/index.html?Parent=europe&Rootmap=belaru>>

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f18news @ editor.forum18.org

Forum 18  
Postboks 6603  
Rodeløkka  
N-0502 Oslo  
NORWAY