

Belarus: Decision No. 280 of 1999 on Invitation of Foreign Clergymen to the Republic of Belarus and Their Activities on its Territory

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Comments This is an unofficial translation. The decision contains all the later amendments and additions. Last alternations of this Decision: Decision of the Council of Ministers of the Republic of Belarus No. 795 of 17 June 2002.

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In accordance with the Law of the Republic of Belarus "On religious liberty and religious institutions" the Council of Ministers of the Republic of Belarus decides:

1. To approve the Regulations on invitation of foreign clergymen to the Republic of Belarus and their activities on its territory (annexed).
2. To recognize the decision of the Cabinet of Ministers of the Republic of Belarus No. 357 of July 3, 1995 On approval of the Regulations concerning invitation and activities of foreign clergymen on the territory of the Republic of Belarus (Collection of the ordinances of the President and the decisions of the Cabinet of Ministers of the Republic of Belarus, 1995, No. 20, art. 467) to be invalid.

Approved
by the Decision of
the Government of the
Republic of Belarus
No. 280 of February 23, 1999

Regulations

on Invitation and Activities of Foreign Clergymen on the Territory of the Republic of Belarus

1. In accordance with the Law of the Republic of Belarus "On religious liberty and religious institutions" and other legislative acts of the Republic of Belarus the present Decision establishes the order of:

inviting foreign clergymen (persons having holy orders) for carrying preaching and religious activities;

transferring foreign clergymen from one religious institution to another;

appointing or replacing heads being foreign clergymen from religious formations, their departments or centers acting in the Republic of Belarus by the foreign religious centers;

inviting foreign citizens for studying or teaching in ecclesiastic educational institutions acting in the Republic of Belarus;

inviting representatives of foreign religious organizations in the Republic of Belarus for non-religious activities.

2. Foreign clergymen may be invited to the Republic of Belarus for carrying preaching, religious activities by religious departments or centers acting in the Republic (hereinafter religious departments or centers) on agreement with the Committee of Religious and National Affairs at the Council of Ministers of the Republic of Belarus. For the purposes of agreement of the invitation of a foreign clergymen by a religious department or center a written request with grounding the necessity of such an invitation is sent to the Committee of Religious and National Affairs at the council of Ministers of the Republic of Belarus a copy of the document confirming the religious education of the invited person enclosed.

3. The Committee of Religious and National Affairs at the Council of Ministers of the Republic of Belarus having received the request for invitation of a foreign clergyman from a religious department or center considers it within one month period, in case of necessity agrees the problem with the corresponding council (department) of religious and nationalities affairs of the Oblast executive committee, Minsk City Executive Committee and the decision made is made known to the religious department or center in written form.

4. On arrival of the clergyman to the Republic of Belarus the religious department or center invited him register him in council (department) for religious and nationalities affairs of the Oblast executive committee, Minsk City Executive Committee within three days excluding holidays, as well as in the bodies of internal affairs of the place of residence.

Councils (departments) of religious and nationalities affairs of the Oblast executive committees, Minsk City Executive Committee) have right to register the foreign clergyman for the period not exceeding one year. This term may be extended one month before its validity according to the previous registration expires on the request of the religious department or center on agreement with the Committee of Religious and National Affairs at the Council of Ministers of the Republic of Belarus.

5. Bodies of internal affairs register foreign clergymen and extend the periods of their registration at requests of the religious departments or centers having invited the foreign clergymen to the Republic of Belarus agreed with councils (departments) of religious and nationalities affairs of the Oblast executive committees, Minsk City Executive Committee for the period the visa or the invitation is valid for (for the states agreements for without visa regime of entrance are concluded with) but not exceeding one year.

6. The religious departments or centers having invited the foreign clergymen to the Republic of Belarus may direct them to the communities of their religious formation only and they have right to preach and carry religious activities in the cult premises or buildings the communities use under lease contracts.

Foreign clergymen have no right to preach and carry religious activities in the settlements not entering the territory the religious communities act on.

7. Any foreign clergyman may be moved from one religious organization to another by the religious department or center on agreement:

with the Committee of Religious and National Affairs at the Council of Ministers of the Republic of Belarus in case of a movement from one region to another, from the city of Minsk to a region as well as from a region to the city of Minsk;

with the Council (department) of religious and nationalities affairs of the Oblast executive committee in case of movement within the region;

with the Council of religious and nationalities affairs of Minsk City Executive Committee in case of a movement within the city of Minsk.

8. Foreign religious centers may appoint or replace heads of religious formations, their departments or centers in the Republic of Belarus on agreement with the Committee of Religious and National Affairs at the Council of Ministers of the Republic of Belarus. The agreement is achieved within one month before the appointment or replacement of the head of the religious formation, its department or center.

9. Religious institutions acting in the Republic of Belarus may direct representatives of their confessions abroad for study in ecclesiastic educational institutions.

Religious departments and centers having their own ecclesiastic educational institutions may invite foreign citizens for study or for teaching in them in accordance with the order established in clauses 2 and 3 of the present Regulations.

10. Religious departments and centers, social action organizations, republican bodies of state government other legal entities may invite representatives of foreign religious organization in the Republic of Belarus for carrying non-religious activities (setting relations and contacts with religious and other organizations, participation in gatherings, other arrangements, beneficial and charity actions etc.) only on agreement with Committee of Religious and National Affairs at the Council of Ministers of the Republic of Belarus.

Religious departments and centers, social action organizations, republican bodies of state government other legal entities shall send to the Committee of Religious and National Affairs at the Council of Ministers of the Republic of Belarus a written request grounding the necessity of inviting a representative of foreign religious organization with indication of term of invitation for agreeing the invitation of a representative of foreign religious organization in the Republic of Belarus

The request shall be considered within twenty days and shall be answered in written form.

11. A foreign clergyman (a priest, a student of an ecclesiastic educational institution) can be reduced with a term of stay at the Republic of Belarus, he (she) can be refused with prolongation of the term of validity of registration or with issue of permission for temporary stay at the Republic of Belarus and he (she) can be ordered to leave the territory of the Republic of Belarus on the grounds established by the legislation of the Republic of Belarus.

Decision on reduction of the term of stay of a foreign clergyman (a priest, a student of an ecclesiastic educational institution) at the Republic of Belarus, refusal in prolongation of the term of validity of registration or refusal in issue of permission for temporary stay shall be drawn up in form of respective conclusion of a body of internal affairs; the body of internal affairs shall take such a decision by its own initiative or on presentation of the council (department) of religious and nationalities affairs of the Oblast executive committee, Minsk City Executive Committee as well as on presentation of competent republican bodies of state government.

The body of internal affairs shall inform the council (department) of religious and nationalities affairs of the Oblast executive committee, Minsk City Executive Committee about a possibility of taking of one of the aforementioned decisions and about taking of such decisions.

Religious departments and centers, social action organizations, republican bodies of state administration, other legal entities which invited a foreign clergyman (a priest, a student of an ecclesiastic educational institution) who was in the established order reduced with a term of stay, refused with prolongation of the term of validity of registration or with issue of permission for temporary stay shall ensure his/her departure from the Republic of Belarus in the order established by legislation.

The measures stipulated by Article 25 of the Law of the Republic of Belarus "On Legal Status of Foreign Citizens and Persons without Citizenship in the Republic of Belarus" as well as stipulated by other acts of legislation of the Republic of Belarus shall be taken to foreign clergymen (priests, students of an ecclesiastic educational institution) entered the Republic of Belarus without an invitation and carrying preaching, religious activities.

12. Religious departments and centers, social action organizations, republican bodies of state administration, other legal entities while inviting foreign clergymen to the Republic of Belarus for carrying preaching, religious activities as well as representatives of foreign religious organization for carrying non-religious activities shall follow, besides the present Regulations, legislation on legal status of foreign citizens and persons without citizenship in the Republic of Belarus.

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