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October 26, 2020 ref. No. No. 2-3739/20/11588
Your ref. No. _____ of _____

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On sending a copy of the reasoning part

The Oktyabrsky District Court of the City of Minsk hereby sends a copy of the reasoning part of the judgment dated October 14, 2020 in the civil case on the claim of Nikolas Cheropoulos against L.A. Trafimovich on the elimination of disagreements in the raising of the children between parents.

Annex: 2 sheets, 1 copy

Judge

/signed/

O.A. Birulya

Case No. 2-3739/20
October 23, 2020

REASONING PART

of the Judgment of the Oktyabrsky District Court of the City of Minsk dated October 14, 2020 in the case based on the claims of Nikolas Cheropoulos against Liudmila Arkadeyevna Trafimovich on elimination of disagreement in the raising of the children

According to Article 75 of the Code of the Republic of Belarus on Marriage and Family, parents bring up children, take care of them and their property. Upbringing is understood as taking care of the physical, spiritual and moral development of children, their health, education and preparation for an independent life in society.

All issues on the forms and methods of raising children, their education, attitude to religion, organization of free time and other issues of raising children shall be decided by both parents by mutual agreement. Disagreements between parents on raising children shall be resolved in court.

Underage parents have the right to take part in raising a child.

Until the unmarried underage parents acquire full legal capacity, their child, with the consent of the legal representatives, is assigned a guardian who shall raise the child together with the minor parents of the child. Disagreements on the raising of children that arise between the child's guardian and minor parents shall be resolved by the custody and guardianship authority.

In accordance with Article 76 of this Code, father and mother have equal rights and obligations in relation to their children.

Furthermore, parents enjoy equal rights and have equal responsibilities in relation to their children in the event of divorce between them, unless otherwise provided in the Parenting Agreement.

In the case of establishing paternity in court, the father shall acquire the rights and obligations from the moment the court judgment enters into legal force, with the exception of the obligation to maintain, which may be imposed from the moment of filing a claim for establishing paternity.

If the parents of the child are not married to each other, the court may assign the custody of the child to one of them, limiting the rights and obligations of the other in relation to the child.

By virtue of Article 39 of the Law "On Freedom of Conscience and Religious Organizations", violation of the legislation of the Republic of Belarus on freedom of

conscience, religion and religious organizations, is manifested, in particular, in the involvement of minors in religious organizations, teaching minors religion against their will and without the consent of their parents or persons replacing them.

From the case materials, it appears that N. Cheropoulos lived in the territory of the Kingdom of Sweden together with L.A. Trafimovich from 2008 to April 2017. From their life together they have two daughters: Anthoula Anthie Cheropoulou, born on June 08, 2012, Alexandra Cheropoulou, born on April 01, 2015. Since April 2017, L.A. Trafimovich lives with daughters in Minsk, at 64-21, Kizhevatoa Str.

According to the judgment of the Oktyabrsky District Court of the City of Minsk dated July 12, 2018, it was decided: claims of Nikolas Cheropoulos against L.A. Trafimovich L.A. regarding the return of the children in accordance with the 1980 Convention on the Civil Aspects of International Child Abduction shall be denied; the judgment entered into force on September 10, 2018.

According to the judgment of the Södertörn District Court of September 10, 2018, it will be better for the children, if N. Cheropoulos is granted the right of sole custody of Anthie and Alexandra.

The Belarusian courts ignored and neglected that there was a decision ruled already in Sweden!?

According to the judgment of the Oktyabrsky District Court of the City of Minsk dated December 27, 2018, the place of residence of the children was determined at the place of residence of the mother; alimony was recovered from N, Cheropoulos and in favor of L.A. Trafimovich for the maintenance of two children in the amount of 33% of all types of earnings; there was determined a different procedure for the travel of the minor children outside the Republic of Belarus, namely with the consent of the mother L.A. Trafimovich.

According to the Articles of Association of the private educational institution “Kindergarten - Secondary School “Ikhvis”, the institution provides preschool and general secondary education; the educational process is organized on the basis of the principles of state policy in the field of education; educational standards; the founder of the institution is the religious organization “St. Elisabeth Convent in Minsk, Minsk Diocese of the Belarusian Orthodox Church.”

From the curricula of the 2nd grade of the State Educational Institution “Gymnasium No. 35 of the City of Minsk” and the private educational institution “Kindergarten - Secondary School “Ikhvis” it follows that they are identical. Moreover, only 1 hour per week of lessons on the basics of Orthodox culture is included in the elective classes of “Kindergarten - Secondary School “Ikhvis”.

AN agreement was signed by L.A. Trafimovich on the provision of paid services in the field of education, according to which, from September 01, 2019, her daughter Anthoula Anthie Cheropoulou is studying at the educational institution “Kindergarten - Secondary School “Ikhvis” from September 01, 2019 to the present, the cost of tuition is 630 rubles per month. Anthoula Cheropoulou is currently in her second grade.

According to the statement of the mother of Anthoula Anthie Cheropoulou, the girl attends classes on the basics of Orthodox culture once a week.

From September 15, 2019 to March 29, 2020, Anthoula Anthie attended the children's choir and choreographic studio at the Sunday school of St. Elisabeth Convent in Minsk.

N. Cheropoulos does not support the minor children. A writ of execution on the recovery of alimony was issued by L.A. Trafimovich upon her application of September 23, 2020; currently not presented for enforcement.

N. Cheropoulos communicated with his daughters in the period from July 14, 2017 to July 18, 2017, from August 08, 2017 to August 12, 2017; from August 22, 2017 to August 26, 2017; from September 30, 2017 to October 03, 2017; from October 15, 2017 to October 18, 2017; from December 22, 2017 to December 26, 2017; from March 30, 2018 to April 02, 2018; from June 03, 2018 to June 05, .2018; from June 08, 2018 to June 13, 2018; from June 24, 2018 to June 28, 2018; from July 10, 2018 to July 12, 2018; from December 23, 2018 to December 29, 2018; from September 30, 2019 to April 02, 2019; from June 05, 2019 to June 10, 2019.

From the report on the examination the living conditions and upbringing of children, it follows that L.A. Trafimovich has created proper conditions for the maintenance and upbringing of the children, the mother is conscientious about fulfilling her parental duties.

According to the conclusion of the Education Department of the Administration of the Oktyabrsky District of the City of Minsk, the mother of Anthoula Anthie Cheropoulou, L.A. Trafimovich, has the right to determine the educational institution for the education of her daughter, which will correspond to the interests of the minor.

The data provided by the plaintiff from the Internet regarding Dmitry Lemeshonok, historical data about the Russian Church, etc. are not directly related to the dispute in question.

The court found that Anthoula Anthie Cheropoulou is not involved in religious organizations against her will. The girl has been studying at "Kindergarten - Secondary School "Ikhvis" since September 01, 2019, she goes to this school with pleasure, she has friends, there are 10-12 children in the classroom, the curriculum is identical to this of "Gymnasium No. 35 of the City of Minsk", the girl's education in the educational institution "Kindergarten - Secondary School "Ikhvis" corresponds to her interests, therefore, the court rejected the claims of N. Cheropoulos regarding the determination of a place for receiving general secondary education as the State Educational Institution "Gymnasium No. 35 of the City of Minsk".

The plaintiff's arguments that Anthie Cheropoulou is studying at "Kindergarten - Secondary School "Ikhvis", which was created by the founder - a religious organization, and thus the daughter is involved in religious organizations, are

ungrounded, since “Kindergarten - Secondary School “Ikhvis” teaches children according to a curriculum approved by the Ministry of Education. Anthie attends 1 hour of elective classes on the basics of Orthodox culture at the request of the mother who is engaged in the upbringing and maintenance of her daughter.

The court finds the arguments of N. Cheropoulos that his daughter spends a lot of time getting to school, since she is located at a considerable distance from her place of residence, unfounded, since for the mother of Anthoula Anthie Cheropoulou, L.A. Trafimovich L.A., it is convenient to take her daughter to school, since she works not far from the school, in the Sisterhood in honor of the Great Martyr Grand Duchess Elizabeth as a translator, it is convenient for her to pick up her daughter from schools. Moreover, according to L.A. Trafimovich, a colleague brings them to their place of work and study, and they get back by public transport.

Statements of N. Cheropoulos that the educational institution “Gymnasium No. 35 of the City of Minsk” has a better teaching staff, can better prepare a child for living and development in a universal social environment, are unfounded, there is no evidence of this presented.

Judge	signature	O.A. Birulya
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Judge of the Oktyabrsky	<i>/signed/</i>	O.A. Birulya
District Court of		
the City of Minsk		
October 23, 2020		