

**Flygtningenævnets baggrundsmateriale**

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# Belarus

## REPUBLIC OF BELARUS

|                         |                       |
|-------------------------|-----------------------|
| Head of State           | Alyaksandr Lukashenka |
| Head of government      | Sergei Sidorskiy      |
| Death penalty           | retentionist          |
| Population              | 9.6 million           |
| Life expectancy         | 68.7 years            |
| Under-5 mortality (m/f) | 20/14 per 1,000       |

**The clampdown on civil society by the government continued. Any form of public activity not sanctioned by the state, including religious worship, was liable to prosecution and rights to freedom of expression, association and assembly were disregarded. Opposition activists were given long prison sentences for the peaceful expression of their views, or activists were harassed and prosecuted under the administrative code for lesser offences and fined or detained for short periods. Human rights and opposition organizations faced considerable difficulties in registering and activists were prosecuted for acting in the name of unregistered organizations. Belarus remained the only country in Europe still executing prisoners.**

## International scrutiny

In December, the UN General Assembly adopted a resolution condemning human rights violations in Belarus and calling for, among other things, the release of all individuals detained for politically motivated reasons, an end to the prosecution, harassment and intimidation of political opponents and human rights defenders, respect for the rights to freedom of speech, assembly and association, and respect for the right to freedom of religion or belief.

## Freedom of expression

Government critics were sentenced to long prison terms or continued to serve long prison sentences for voicing their opposition. Alyaksandr Kozulin, presidential candidate during the March 2006 elections, continued to serve his five-and-a-half-year sentence imposed in 2006 for “hooliganism” and “organizing group activities that breach public order”. Alyaksandr Kozulin had protested the conduct of the elections, which the OSCE judged to be unfair.

- On 25 March, 50 to 60 people were detained throughout the country during peaceful demonstrations to mark Freedom Day, the anniversary of the creation of the Belarusian People’s Republic in 1918, celebrated by the opposition but not officially recognized. Most of those detained were subsequently sentenced to up to 15 days’ administrative detention. Police reportedly used fists and batons against the demonstrators to stop them gathering on October Square in the centre of the capital city of Minsk. Vintsuk Vyachorka and Vyacheslav Siuchy, two of the organizers, were detained on March 13. Vintsuk Vyachorka was charged with using obscene language; Vyacheslav Siuchy was initially detained for his likeness to a known criminal and then charged with urinating on the street. Both politicians denied these

charges. At separate trials on 4 April both were found guilty of petty hooliganism, but the judge did not impose a fine or detention because the offences were “insignificant”.

## **Freedom of association**

Human rights groups and opposition organizations faced considerable obstacles when they attempted to register with the state, and unduly stringent controls on their activities. There were many convictions under Article 1931 of the Criminal Code. This article was added to the Criminal Code in December 2005 and outlaws any activity on behalf of an organization that has been closed or has not been registered regardless of the nature of the activity. In 2007 the law was used almost exclusively against members of the youth opposition movement, Malady Front (Young Front). Malady Front has applied four times for registration and has been turned down on each occasion.

- On 29 May, five members of Malady Front, Nasta Palazhanka, Boris Garetskii, Oleg Korban, Zmitser Fedoruk, and Aleksei Yanushevskii, were convicted for “organizing or participating in the activity of an unregistered organization”. Four of the accused were fined and the fifth member of the group received an official warning. On 4 September two further members of the organization, Ivan Shilo and Nasta Azarka, were also found guilty of the same offence in two separate trials. Nasta Azarka was fined, but in the case of Ivan Shilo the judge did not impose a penalty. Zmitser Dashkevich, one of the leaders of Malady Front who had been sentenced to 18 months’ imprisonment in 2006 under Article 1931, was tried while serving his sentence. He was convicted on 9 November for refusing to give evidence as a witness and fined. The charge referred to the police investigations of Ivan Shilo.
- On 24 July the UN Human Rights Committee ruled that the dissolution of the human rights organization, Viasna (Spring), in 2003 had been a violation of the right to association and that the organization was entitled to an appropriate remedy, including re-registration and compensation. The members of Viasna applied for re-registration on 23 July, but the application was refused on 28 August for several reasons including the fact that 20 of the 69 founders had convictions for administrative offences. The organization’s appeal was rejected on 26 October.

## **Death penalty**

Belarus retained the death penalty for “premeditated, aggravated murder” and 12 other offences. There were no official statistics available for the number of executions carried out in the period under review. Execution is by a gunshot to the back of the head, and relatives are not officially told of the date of the execution or where the body is buried. According to press reports, on 22 May the Supreme Court imposed the death sentence on Alyaksandr Syarheychyk for six murders, and other crimes. He was reportedly executed in November, but the exact date and place of burial are not known. On 9 October Syarhey Marozaw and Ihar Danchanka were sentenced to death for a series of murders carried out in the Gomel region. These were the second death sentences imposed on the two men, who had previously been sentenced to death in December 2006 along with Valery Harbaty. On 16 November, commenting on the UN Resolution on a Global Moratorium on the Death Penalty passed the day before, the Minister of Internal Affairs told journalists that it was too early to introduce a moratorium in Belarus.

## **Discrimination**

Restrictions on religious communities continued. Under the restrictive 2002 Law on Religion, only registered nationwide religious associations have the right to establish monasteries, missions and educational institutions, as

well as to invite foreign citizens to preach or conduct other religious activity in Belarus. State permission is required to hold religious services in non-religious buildings, yet entities which do not own their own property, such as Protestant churches, found it increasingly difficult to rent property.

- Polish national Jaroslaw Lukasik, a Protestant pastor and member of the Union of Evangelical Faith Christians, was detained on 27 May when police raided a church service held in the home of Pastor Antoni Bokun of the John the Baptist Pentecostal Church. He was released the same day after the Polish Consul visited the police station. On 30 May he was sentenced under the Administrative Code for holding an unsanctioned meeting and engaging in “illegal religious activity”. He was issued with a deportation order and fined one month’s salary. Jaroslaw Lukasik had been resident in Belarus since 1999, and his wife and three children are all Belarusian citizens. Jaroslaw Lukasik was deported on 8 June.

## **Violence against women**

Women from Belarus were trafficked, including for sexual exploitation, to western Europe, the Middle East and Russia. According to the US State Department Trafficking in Persons Report published in June, the government made significant efforts to prosecute traffickers, but did not offer adequate protection and assistance to victims, relying almost exclusively on non-governmental organizations to provide such support. No progress was made towards introducing a law against domestic violence.

## **Amnesty International visit/reports**

- An Amnesty International delegate carried out a trial observation from 3 to 5 September.
- Commonwealth of Independent States: Belarus – the sole executioner (EUR 04/002/2007)
- Belarus: Fear of imminent execution (EUR 49/009/2007)
- Elections to the United Nations Human Rights Committee: background information on candidate countries (IOR 41/012/2007)
- Europe and Central Asia: Summary of Concerns in the Region, January – June 2007 (EUR 01/010/2007)