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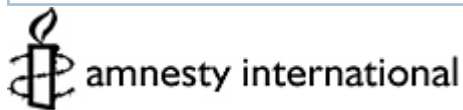
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Amnesty International Report 2011 - The State of the World's Human Rights

Belarus

Head of state

Alyaksandr Lukashenka

Head of government

Syarhey Sidorski

Death penalty

retentionist

Population

9.6 million

Life expectancy

69.6 years

Under-5 mortality (m/f)

14/9 per 1,000

Adult literacy

99.7

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Three death sentences were handed down and two people were executed. The rights to freedom of expression and assembly were severely restricted and peaceful demonstrators were detained and fined. Allegations of torture and other ill-treatment were not investigated promptly and impartially. Prisoners of conscience were denied access to medical and legal assistance.

Background

In December, President Alyaksandr Lukashenka was re-elected for the fourth time by 79.7 per cent of the votes in elections that international observers judged fell short of OSCE standards. Riot police violently dispersed a mainly peaceful demonstration held by opposition supporters at close of voting on 19 December. The events were followed by a clampdown on opposition activists, human rights defenders and journalists who were subjected to arbitrary detention, searches, threats and other forms of harassment by the authorities.

Death penalty

State representatives expressed their willingness to engage with the international community regarding the death penalty. In February, a Parliamentary Working Group on the Death Penalty was established. In September, the government acknowledged the need to abolish the death penalty to the UN Human Rights Council; it stated its intention to mould public opinion in favour of abolition and to continue its co-operation with the international community. Despite this, Belarus continued to hand down death sentences and to carry out executions.

- Vasily Yuzepchuk and Andrei Zhuk, who had been sentenced to death in June and July 2009 respectively, were executed in March. As in all death penalty cases in Belarus, neither the prisoners nor their relatives were informed of the date in advance. Andrei Zhuk's mother only learnt of her son's execution afterwards when she tried to deliver a food parcel on 19 March. The execution was carried out despite the fact that both men had applied to the UN Human Rights Committee, and on 12 October 2009 the Committee had made a request to the government not to execute the two men until it had considered their cases.
- Oleg Grishkovtsov and Andrei Burdyko were sentenced to death on 14 May by Hrodna Regional Court for premeditated murder, armed assault, arson, kidnapping of a minor, theft and robbery. Their appeals were turned down by the Supreme Court on 17 September 2010.
- On 14 September, Ihar Myalik was sentenced to death by Mahilyou Regional Court for a series of armed assaults and murders committed in 2009 on the Mahilyou-Homel highway. A second man was sentenced to life imprisonment for the same crime, and a third died in custody before the end of the trial.

Freedom of expression

In May, the OSCE Representative on Freedom of the Media expressed concern in a letter to the Belarusian authorities about pressure placed on independent media in the country and stated that "Intimidation of journalists exerts a 'chilling' effect on already weakened investigative journalism in Belarus."

- On 3 September Aleh Byabenin, the editor and founder of the unofficial news website Charter '97, was found dead, suspended from the banisters of his dacha with a rope around his neck. On 4 September, the initial conclusions of a forensic medical examination were announced, which found that the most likely cause of death was suicide. However, colleagues and family members questioned the official verdict, pointing out a number of inconsistencies about the way his body was found, the fact that he had been targeted by the authorities in the past, and that shortly before his death he had joined the campaign team of Andrei Sannikau, an opposition presidential candidate.

On 1 July, Presidential Decree No. 60 "On measures to improve the use of the national segment of the internet" came into effect. The decree requires among other things that internet service providers check the identity of subscribers in person, and make information about subscribers available to the authorities; and measures have been introduced to limit access to information that could be classed as extremist, pornographic, or that promotes violence and other illegal acts. According to a study commissioned by the OSCE, these measures "lead to unsubstantiated restrictions of a citizen's right to receive and disseminate information", and give the authorities extremely broad powers to limit access to certain sources of information.

Freedom of assembly

The restrictive "Law on Mass Actions" continued to limit freedom of assembly and expression. The law requires

demonstrators to apply for permission to the local authorities and stipulates that public events cannot take place within 200m of underground stations and pedestrian crossings. It also requires organizers to take responsibility for public safety measures, as well as measures connected with medical services and cleaning up after the action, all of which they need to finance. As a result of these provisions, many applications were turned down.

- On 8 May, the Minsk City Executive Committee refused permission for a march to celebrate Slavic Pride on 15 May because the proposed route was within 200m of underground stations and pedestrian crossings. A group of demonstrators organized a march on 15 May regardless of the ban. Eight of the demonstrators were detained over the weekend and five of them were charged with taking part in an unauthorized demonstration and fined.
- A mainly peaceful demonstration after the presidential elections on 19 December was violently dispersed by riot police and over 700 people were charged with administrative offences and detained for 10 to 15 days. They were arbitrarily detained for the peaceful exercise of their right to freedom of expression and many demonstrators were subjected to disproportionate force by law enforcement officers.

Torture and other ill-treatment

In August, Belarus submitted its fourth periodic report to the UN Committee against Torture. The report rejected the recommendation made by the Committee in 2000 to introduce a definition of torture into the Criminal Code in accordance with the definition in the UN Convention against Torture, and claimed that all allegations of torture and other ill-treatment were examined by prosecutors. However, according to a shadow report submitted by NGOs in December, complaints to the Prosecutor's Office rarely led to criminal investigations for torture and were usually subject to a superficial investigation which did not extend beyond interviewing the police officers alleged to be the perpetrators.

- On 18 January the Prosecutor of Soviet district in Minsk turned down a request for a criminal investigation into allegations of torture made by Pavel Levshin. He had been detained by police officers from Soviet district police station on 9 December 2009 on suspicion of theft. Pavel Levshin claims that on 10 December from 5pm to 8pm police officers subjected him to torture and other ill-treatment. In his complaint to the prosecutor he claimed that police handcuffed him, laid him on his stomach and inserted his feet behind his hands in a position known as "the swallow". They beat him with a rubber truncheon and with plastic bottles filled with water. They also put a plastic bag over his head and held it there five times until he came close to suffocating. A forensic medical report confirmed that he had injuries consistent with his allegations, but the Prosecutor quoted the police report and stated that no evidence of torture had been found.

Prisoners of conscience

By the end of the year, 29 people including six opposition presidential candidates, members of their campaign teams and journalists were charged with "organizing mass disorder" in connection with the demonstrations on 19 December. They faced a possible maximum prison sentence of 15 years. Many of them had been charged solely for the peaceful expression of their views; at least 16 of them were prisoners of conscience.

- Andrei Sannikau, an opposition presidential candidate, was detained during the demonstration on 19 December. He was beaten by riot police and suffered injuries to his legs. He was being driven to hospital with his wife, the journalist Iryna Khalip, when the car was stopped by law enforcement officers and he was taken into custody. On 27 December, employees of child welfare services visited their three-year-old son, Danil, and informed his grandmother that she would need to complete procedures to establish her custody over the child or he would be taken into care. On 29 December Andrei Sannikau was charged with the criminal offence of organizing mass disorder. Iryna Khalip was subsequently also detained and charged. Andrei Sannikau's lawyer was granted only intermittent access to him and expressed fears that he was not receiving adequate medical attention for his injuries. The lawyer was subsequently threatened with disbarment for raising concerns about his client's health.

Military service remained compulsory, but discussions were ongoing with regard to a draft law on alternative service and two conscientious objectors were acquitted during the year.

Country Reports

No reports available

Country Visits

No information on visits available

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