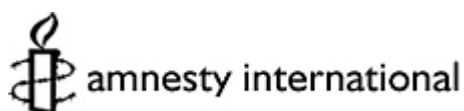


**Flygtningenævnets baggrundsmateriale**

|                                    |                               |
|------------------------------------|-------------------------------|
| <b>Bilagsnr.:</b>                  | <b>140</b>                    |
| Land:                              | Belarus (Hviderusland)        |
| Kilde:                             | Amnesty International.        |
| Titel:                             | Annual Report 2012 – Belarus. |
| Udgivet:                           | 24. maj 2012                  |
| Optaget på<br>baggrundsmaterialet: | 11. juli 2012                 |

|                         |                                                                                                                                                                                                                                                                      |
|-------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Title</b>            | Amnesty International Annual Report 2012 - Belarus                                                                                                                                                                                                                   |
| <b>Publisher</b>        | <a href="#">Amnesty International</a>                                                                                                                                                                                                                                |
| <b>Country</b>          | <a href="#">Belarus</a>                                                                                                                                                                                                                                              |
| <b>Publication Date</b> | 24 May 2012                                                                                                                                                                                                                                                          |
| <b>Cite as</b>          | Amnesty International, <i>Amnesty International Annual Report 2012 - Belarus</i> , 24 May 2012, available at: <a href="http://www.unhcr.org/refworld/docid/4fbe394f37.html">http://www.unhcr.org/refworld/docid/4fbe394f37.html</a> [accessed 28 May 2012]           |
| <b>Disclaimer</b>       | This is not a UNHCR publication. UNHCR is not responsible for, nor does it necessarily endorse, its content. Any views expressed are solely those of the author or publisher and do not necessarily reflect those of UNHCR, the United Nations or its Member States. |



## Amnesty International Annual Report 2012 - Belarus

Head of state: **Alyaksandr Lukashenka**  
 Head of government: **Mikhail Myasnikovich**  
 Death penalty: **retentionist**  
 Population: **9.6 million**  
 Life expectancy: **70.3 years**  
 Under-5 mortality: **12.1 per 1000**  
 Adult literacy: **99.7 per cent**

**Restrictions on freedom of expression, association and assembly increased during the year. The government continued to carry out executions. Prisoners of conscience remained in detention and were subjected to torture and other ill-treatment. The right to a fair trial was restricted.**

### Background

Social unrest increased due to a worsening economic situation, and the government responded with restrictions on freedom of assembly and association.

On 17 June, the UN Human Rights Council expressed concerns at the situation in Belarus. It condemned the human rights violations following the December 2010 elections; it urged the government to co-operate fully with UN human rights mechanisms and to allow international monitors to carry out their work, and not to detain or expel them. Relations with the EU worsened. On 10 October the EU Council announced that it would extend until 31 October 2012 its travel ban on those responsible for violations of international electoral standards and for the crackdown on civil society.

### Death penalty

The government executed two men during the year and passed two death sentences.

- Andrei Burdyka and one other man were executed between 14 and 19 July. Andrei Burdyka's mother received official confirmation of his death three months later. The other family had not been notified by the end of the year. The executions were carried out despite a formal request sent on 17 December 2010 by the UN Human Rights Committee to the government of Belarus not to execute the two men until the case had been considered by the Committee.

### **Torture and other ill-treatment**

There was no independent system of monitoring places of detention. Complaints against law enforcement officers were usually rejected by prosecutors, and those who complained faced reprisals from police.

- On 28 February, after being released on bail, Alyaksei Mihalevich, a presidential candidate charged with organizing a demonstration in Minsk on 19 December 2010, held a press conference. He alleged that he and other detainees had been subjected to torture and other ill-treatment, including being strip-searched up to six times a day, and being forced to stand in stress positions.
- Zmitser Dashkevich, who was sentenced to two years' hard labour on 24 March in connection with the demonstration in December 2010, was placed in solitary confinement eight times during the year. Conditions in solitary confinement include being denied exercise, refused bedding and deprived of sleep. Prisoners are also prevented from lying or sitting on bunks during the day.

### **Freedom of expression**

In March, journalist Andrzej Poczobut, was charged with "insulting the President" and "libelling the President" for articles that he had written for the Polish newspaper *Gazeta Wyborcza*. On 5 June, he received a three-year suspended prison sentence.

### **Freedom of association**

Registered and unregistered human rights groups faced prosecution and harassment throughout the year. The Law on Public Associations changed on 3 October to prohibit Belarusian NGOs from holding funds or bank accounts abroad. The Council of Europe's Venice Commission commented that the Criminal Code, which makes participation in the activities of non-registered political parties, or other public associations, a crime, "was incompatible with a democratic society."

- On 4 August, the Chair of the NGO Viasna Human Rights Centre (Viasna), Ales Bialiatski, was arrested. He was charged on 12 August with "concealment of income on a large scale", which carries a sentence of up to seven years. The charges related to the use of a personal bank account in Lithuania to support Viasna's human rights work. Viasna was derecognized by the Belarusian authorities in 2003 and as such was barred from opening a bank account in Belarus. The trial began on 2 November. and on 24 November Ales Bialiatski was sentenced to four and a half years' imprisonment. Amnesty International considered him to be a prisoner of conscience and demanded his unconditional release.
- On 12 January, the Ministry of Justice formally censured the Belarusian Helsinki Committee for sending a report to the UN Special Rapporteur on the independence of judges and lawyers, concerning restrictions faced by lawyers. The Ministry complained that the report was an "attempt to discredit the Republic of Belarus in the eyes of the world." In June, the organization was issued with a back-dated tax bill, relating to European Commission funds received in 2002 (which had originally been exempt from tax). The tax bill was accompanied by a second warning from the Ministry of Justice for breaching NGO regulations. In December, the Ministry for Taxes and Duties applied to the Ministry of Justice for the closure of the Belarusian Helsinki Committee.

### **Freedom of assembly**

Restrictions on all forms of public gatherings increased during the year. On 3 October Parliament approved amendments to the Law on Public Assemblies. Any kind of pre-planned public gathering requires official permission: organizers are required to report "financial sources" used for the event; and they are not allowed to publicize the event until official permission is granted, which might not be until five days prior to the event. Law enforcement officers also have wider powers to make audio and video recordings, limit participants' access to the event and carry out body searches.

- Throughout May, June and July, there were regular weekly "silent protests". Groups of people throughout the country would stroll wordlessly, applaud or use their mobile phone alarms simultaneously. Viasna reported that the authorities detained more than 2,000 people involved in "silent protests", and some of them were beaten and subjected to other forms of disproportionate force. Up to 80 per cent of those initially detained were subsequently sentenced to between five and 15 days' administrative detention or fined. On 29 July, the government introduced a draconian new law. It required government permission for any gatherings carrying out "action or inaction intended as a form of public expression of socio-political attitude or as a protest".
- Human rights lawyer Roman Kislyak was detained on 16 October after walking alone down the main street of Brest with a megaphone asking for the release of Ales Bialiatski. He was charged with simultaneously picketing and marching. He was brought before an administrative court the following morning, and the judge returned the case to the police for further investigation. On 28 October the Lenin District Court in Brest imposed a fine equivalent to €3, and the appeal court upheld the judgement.

### **Prisoners of conscience**

Between January and June, trials continued against leading political activists in connection with their participation in, or organization of, the mainly peaceful demonstration in Minsk on 19 December 2010. At the end of the year six remained in detention in connection with these events, all of them prisoners of conscience. Zmitser Bandarenka was sentenced to two years' hard labour on 26 March. Andrei Sannikau was sentenced to five years on 14 May. Pavel Sevyarynets was sentenced to three years on 16 May. Mykalaj Statkevich was sentenced to six years on 26 May. On 24 March, Zmitser Dashkevich and Eduard Lobau were sentenced to two and four years respectively for hooliganism. Others, including Andrei Sannikau's wife Iryna Khalip, were given suspended sentences. Six other prisoners of conscience were released during the year: three were informed that their cases had been closed, and one was released on bail and sought asylum abroad.

### **Unfair trials**

Despite legislative guarantees, people who were charged following the demonstration on 19 December 2010 had infrequent access to their lawyers and were not able to meet them in private. Some lawyers reported that they were often refused access to their clients on the grounds that no meeting rooms were available. The government reported that there were only two rooms available for lawyers at the KGB detention centre in Minsk and for that reason meetings had been restricted.

Some lawyers who defended opposition leaders accused of organizing mass disorder in December 2010 were disbarred. In March 2011, Pavel Sapelko, who had defended Andrei Sannikau, was disbarred. On 7 August, Tamara Sidorenko, Alyaksei Mihalevich's lawyer, lost her licence.

|                                                     |
|-----------------------------------------------------|
| Copyright notice: © Copyright Amnesty International |
|-----------------------------------------------------|