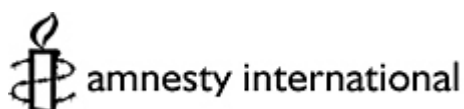


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Amnesty International Report 2010 - Belarus

REPUBLIC OF BELARUS

Head of state: Alyaksandr Lukashenka

Head of government: Syarhey Sidorski

Death penalty: retentionist

Population: 9.6 million

Life expectancy: 69 years

Under-5 mortality (m/f): 14/9 per 1,000

Adult literacy: 99.7 per cent

The government continued to hand down death sentences. Public events were banned and peaceful demonstrators were detained or ill-treated in police custody. The rights to freedom of association and expression were restricted. Inadequate measures were taken to counter violence against women. State control over the media continued.

Background

European institutions continued their engagement with Belarus. In June, the Parliamentary Assembly of the Council of Europe voted to restore Special Guest Status to the Belarusian parliament on several conditions. Besides a moratorium on the death penalty and registration of the human rights organization *Nasha Viasna* (Our Spring), terms included the immediate and unconditional lifting of sentences of restricted freedom imposed on several young people for their participation in a peaceful demonstration in January 2008. However, these terms were not met by the end of the year. In November, the EU Council reviewed the decision made in October 2008 and decided not to end the travel restrictions on senior Belarus officials, but to extend the suspension until October 2010. The majority of printed and electronic media remained under state control, and the state press distribution system maintained its monopoly. Two independent newspapers – *Narodnaya Volya* (People's Will) and *Nasha Niva* (Our Field) – were allowed once again to use the state press distribution system.

Death penalty

On 29 June, the House of Representatives set up a working group to draft proposals on imposing a moratorium on the death penalty. However, Belarus continued to hand down death sentences despite international pressure. Two men were sentenced to death for murder in the course of the year. On 29 June, Brest regional court sentenced 30-year-old

Vasily Yuzepchuk to death; and on 22 July, Minsk regional court sentenced 25-year-old Andrei Zhuk to death. Both death sentences were upheld on appeal.

- In January, Vasily Yuzepchuk and another unnamed man were detained and charged with first-degree murder, following the murder of six elderly women between November 2007 and January 2008. On 29 June, both men were found guilty by Brest regional court. The second man, convicted as his accomplice, was sentenced to life imprisonment. Vasily Yuzepchuk was sentenced to death. On 2 October, the Supreme Court turned down his appeal and he subsequently applied for clemency. Vasily Yuzepchuk, originally from Ukraine, belongs to the marginalized Roma ethnic group, and may have an intellectual disability. His lawyer stated that the investigation and trial were fundamentally flawed and that Vasily Yuzepchuk had been beaten to force him to confess. On 12 October, the UN Human Rights Committee called on the Belarusian government not to execute Vasily Yuzepchuk until it had considered the case.

Freedom of assembly

The authorities continued to violate the right to freedom of assembly by not permitting demonstrations and public actions in accordance with the very restrictive Law on Public Events. There were allegations that excessive force was used to disperse non-violent demonstrations, and peaceful demonstrators were detained.

- On 12 February, an application by a group of 20 people to hold a small public awareness action about lesbian, gay, bisexual and transgender issues was refused by the Gomel city administration. They said that the application did not include copies of contracts with the local police department, the health clinic and the waste disposal services to cover the expenses of ensuring public order, safety and for cleaning up after the action. Gomel District Court held that the application had been refused in accordance with the Law on Public Events and turned down the appeal.
- Peaceful legal demonstrations to mark the anniversary of the disappearance of leading opposition figures Viktor Hanchar and Anatoly Krasouski, held on the 16th day of every month, were regularly dispersed using force. Viktor Hanchar and Yuri Zakharenko, as well as businessman Anatoly Krasouski and journalist Dmitry Zavadsky, were subjected to enforced disappearances in 1999 and 2000. On 16 September, police officers in Minsk allegedly used excessive force to disperse demonstrators and detained 31 people for over three hours before releasing them without charge. The demonstrators reported that they had been standing silently holding portraits of the disappeared when approximately 40 men in plain clothes approached and started to beat them, closely followed by riot police who detained them and took them by bus to Tsentralny District police department. According to one demonstrator, police officers did not explain the reason for their arrest and some of the detainees were beaten in the bus. At the police station they were reportedly made to stand facing the wall for three hours and subjected to verbal abuse, threats and beating. On 17 September, the Presidency of the European Union expressed concern about the crackdown on peaceful demonstrations in Minsk the previous day and urged the Belarusian authorities to refrain from excessive use of force in dealing with peaceful demonstrations.

Prisoners of conscience

Several people continued to be held under "restricted freedom" following participation in a peaceful protest in January 2008. The conditions of "restricted freedom" are so severe that they amount to house arrest. Furthermore, although the sentence of "restricted freedom" is imposed by a judge, the details of the restrictions can be changed arbitrarily by the police officer in charge of the case without any possibility to appeal. This makes it very difficult for those convicted to comply with the conditions of their sentence.

- On 7 July, Artsyom Dubski was sentenced to one year in prison by the Asipovich district court in the Mahilyow region, and on 15 June Maxim Dashuk was sentenced to one year and three months of further "restricted freedom" by the Maskouski district court in Minsk. Both were convicted for violating the terms of earlier

sentences imposed for their participation in the January 2008 protest and Amnesty International considers them to be prisoners of conscience. These young men had been among 11 people who were given sentences of up to two years of "restricted freedom" for "taking part in or organizing actions that gravely disturb public order". As of November 2009, five out of the original 11 had received amnesties, one had had his restrictions reduced, and three remained abroad.

Human rights defenders

Civil society organizations faced many obstacles in registering with the authorities before being permitted to operate.

- On 26 January, the human rights organization *Nasha Viasna* (previously known as *Viasna*), applied for registration and was refused for a third time. The Ministry of Justice rejected the application on several grounds: previous convictions of the group's members on administrative charges; inaccuracies in the list of founders; the failure to describe the mechanism for electing the Chair and the Secretary; the absence of the organization's name on one document; and that the headquarters were too cramped. On 22 March, the Supreme Court upheld the decision of the Ministry of Justice after an appeal by the founders on 19 March. On 25 April, the founders applied again and on 28 May, registration was again refused by the Ministry of Justice. In addition to the reasons cited in previous refusals the Ministry of Justice claimed that the second part of the organization's name was not in line with its statute. On 16 June 2009, the founders of *Nasha Viasna* appealed against this decision, but refusal of registration was again upheld by the Supreme Court on 12 August.

Violence against women

On 21 January, a new Law on Crime Prevention came into effect which for the first time specifically referred to domestic violence and called on state bodies including the Ministry of Internal Affairs to investigate all cases of domestic violence and to prosecute the perpetrators. However, adequate structures and resources to respond to violence against women were lacking. At the end of the year only two shelters for victims of domestic violence were financed from a combination of state and non-governmental funding.

Amnesty International visits/report

- An Amnesty International delegate visited Belarus in March and November.
- Ending executions in Europe: Towards abolition of the death penalty in Belarus (EUR 49/001/2009)

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