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# Human Rights and Democracy: The 2012 Foreign & Commonwealth Office Report - Belarus

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The UK remained concerned about the human rights situation in Belarus in 2012. The Belarusian government continued to use state apparatus to restrict space for genuine debate or dissent, and there was unabated harassment of opposition activists, human rights defenders and independent journalists. Three political prisoners were released but according to reports by non-governmental organisations, 10 political prisoners remain in jail under difficult conditions. The Organization for Security and Co-operation in Europe (OSCE) said that the parliamentary election in September was "not held in an impartial manner". In March, the authorities executed two men convicted of carrying out the April 2011 Minsk Metro bombing, which killed 15 people, despite concerns about the evidence and the conduct of the trial and a request from the UN Human Rights Committee to delay the executions.

The UK's focus in 2012 was to keep up the pressure on the regime to improve its observance of human rights. With our European partners, we expanded targeted EU sanctions in February and March and renewed them in October. After the execution of those accused of the Minsk Metro bombing, the UK used its role as Chair of the Council of Europe to secure a rare statement by all 47 member states deploring the executions.

We argued successfully for the establishment of a Special Rapporteur on Belarus at the UN Human Rights Council in July, and Miklos Harazsti took up the role on 1 November. We provided a large contingent of observers to take part in the OSCE

monitoring mission for September's parliamentary election. We continued to raise the case of the political prisoners, as well as the regular examples of politically motivated harassment by the authorities, with the Belarusian authorities.

We do not expect the situation in Belarus to change significantly in 2013. The UK will support the continued application of sanctions until the Belarusian government releases and rehabilitates all political prisoners. We will raise Belarus' human rights record regularly in international bodies such as the UN, the Council of Europe and the OSCE. We will use the tools available through these organisations to continue to press for better human rights in Belarus, including for example by arguing for the renewal of the mandate of the UN Special Rapporteur. We will also use the recommendations of the final monitoring report on the parliamentary election from the OSCE Office for Democratic Institutions and Human Rights (ODHIR) to encourage Belarus to reform its electoral system. The UK will maintain its support for Belarusian civil society.

## **Elections**

Parliamentary elections took place on 23 September. Some opposition politicians were unable to take part because of convictions for offences following the crackdown on opposition activity after the presidential election on 19 December 2010. This and other elements of the election process led to some opposition political parties deciding to boycott the poll, while others took part in the campaign but withdrew their candidates before voting day.

The elections were monitored by a mission from ODIHR, which included 18 British participants. Its final report concluded that the elections were not held in an impartial manner, and that there were particular problems with the count. It highlighted reports of the arrest of opposition activists in the run-up to the ballot for "hooliganism" or other offences. Those opposition parties that had called for a boycott of the election were barred from accessing free airtime on TV and radio following a ruling by the Central Election Commission (CEC). The monitoring mission judged that "... media coverage of the campaign did not provide a wide range of views, focusing overwhelmingly on the president and government activities with minimal attention given to candidates". An FCO spokesperson called on the Belarusian government to work constructively with the OSCE on further reforms. The Belarusian government rejected the conclusion of the ODIHR report. The UK will continue to press the authorities to adopt the ODIHR recommendations.

A separate monitoring mission conducted by the Commonwealth of Independent States concluded that the election was "free and democratic".

## **Freedom of expression and assembly**

Belarus fell to 168th place out of 179 in the Reporters Without Borders World Press Freedom Index 2011-2012 published in January 2012.

The state continued to control the overwhelming majority of media organisations. However, opposition and independent websites such as Charter 97 (<http://charter97.org/en/news/>) increased their readership in the country despite barriers to operating within Belarus and regular cyber attacks from unidentified sources. The authorities arrested Andrzej Poczobut, an independent journalist, in June. Currently on bail, he faces up to five years' imprisonment for defamation of the president. Dzianis Kudryn, also a journalist, was allegedly beaten by a police officer for accessing an independent website in a public Internet cafe. Another journalist, Iryna Khalip, remains under strict supervisory conditions as a result of her conviction for taking part in the protests linked to the 19 December 2010 presidential election.

The state continued to interfere in freedom of assembly. For example, in September the authorities arrested people publicly supporting the election boycott by some opposition parties and also detained journalists covering the event. There were numerous cases of opposition activists being arrested for "hooliganism" or "swearing in the street", including in the run-up to the parliamentary elections.

Through these measures, the regime has further restricted the space to operate for those who oppose the government. The UK continued to press the government to allow independent media and greater freedom of expression.

### **Human rights defenders**

In January, the Belarusian Supreme Court rejected an appeal from human rights defender Ales Bialiatski against his conviction for tax evasion. He will now serve the remaining four and a half years of his sentence. Bialiatski had been head of the Viasna Human Rights Centre; Viasna's offices were closed down in November. Similarly, Platform, a non-governmental organisation concerned with the rights and conditions of political prisoners, lost an appeal in October against a court order to close down both its office and its organisation.

The regime used an undeclared travel ban to exert further pressure on human rights defenders, opposition activists and their associates. For example, on 6 June, Maryna Kavalevskaya, a lawyer who had represented one of the political prisoners, was prevented from travelling to Lithuania. The authorities told her it was because she had dodged the military draft, even though women are not obliged to carry out military service in Belarus.

In October, a British member of Amnesty International who had visited Belarus on many previous occasions was refused a visa. Amnesty International has not been given a reason, despite several enquiries.

The UK strongly supports EU programmes to offer support to those who fall victim to harassment by the authorities.

### **Access to justice and rule of law**

On 15 April, Minister for Europe David Lidington welcomed the release of two political prisoners, former presidential candidate Andrei Sannikov and his former adviser Dmitry Bondarenko, on 14 and 15 April respectively. They had been arrested during peaceful protests on 19 December 2010 and convicted of "organising mass disturbances". The authorities released another political prisoner, Syarhei Kavalenka, on 26 September. All three men were made to apply for a presidential pardon before being released. As with all former political prisoners, the authorities did not restore their full civil and political rights. They are barred from taking part in future elections, face travel restrictions, are under threat of re-arrest and their criminal records mean that they have little chance of getting a job.

Following these releases, 10 political prisoners remained in detention at the end of 2012. Credible reports suggest that some faced psychological and physical pressure, particularly to submit pardon applications to the president admitting their guilt. In August, opposition activist Zmitser Dashkevich, who had been convicted in March 2011 of an alleged assault, had his sentence extended by a year for "deliberate disobedience" in prison. The British Ambassador raised his case with the authorities on 29 August, as did the Minister for Europe in a meeting with the outgoing Belarusian Ambassador on 12 September.

We continue to raise our concerns with the Belarusian authorities for the welfare of all political prisoners at every opportunity, both in Minsk and London. We believe that international pressure in part contributed to the few releases in 2012 and prevented the authorities acting with absolute impunity. Along with our EU partners we agreed further sanctions in February and March, including targeted economic measures against individuals and entities supporting and profiting from the regime. As we have reminded the Belarusian government on a regular basis, the sanctions will remain in place until all political prisoners are released and rehabilitated. The EU renewed the sanctions in October, with Council Conclusions outlining the EU's continued concern about the situation in Belarus. See: [www.consilium.europa.eu/uedocs/cms\\_data/docs/pressdata/EN/foraff/132836.pdf](http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/EN/foraff/132836.pdf)

Following the February sanctions, the Belarusian government suggested that the heads of both the Polish Embassy and EU mission in Minsk should return to their capitals for "consultations". In response, the UK and all other EU member states present in Belarus recalled their ambassadors. The Foreign Secretary spoke of his disappointment at the behaviour of the authorities in Minsk. All the ambassadors returned to Belarus by the end of April.

### **Death penalty**

On 14 March, the authorities executed Dzmitry Kanavalaw and Uladzislav Kavalyow for allegedly carrying out the bomb attack on the Minsk Metro in April 2011 in which 15 people died. The pair were convicted in November 2011 in a trial that many international observers considered to be flawed. The executions took place on the same day that the President announced his refusal to grant clemency, and despite a request from the UN Human Rights Committee to delay the punishment.

until it had considered an application from one of the men to comment on the fairness of the proceedings. The men's families were not informed in advance of their executions and have not been told where they are buried. One person remains on death row for an unrelated conviction.

On 18 March, the Minister for Europe David Lidington voiced his deep concern at the executions and called on Belarus to establish a formal moratorium on the death penalty. We continued to raise the death penalty regularly with the Belarusian authorities, who said that the issue was likely to be put to a public vote again in the coming years. In the aftermath of the executions in March, the public mood in Belarus appeared to shift against the use of the death penalty – a trend which we will encourage.

### **Freedom of religion or belief**

There was little change to the situation on freedom of religion or belief in Belarus in 2012. As with other non-governmental groups, some churches and religious organisations came under pressure from the authorities. For example, the New Life Church faced eviction from its premises on 5 December after a long battle with the Minsk authorities. The Embassy raised the Church's case with the Foreign Ministry on 3 December and the authorities shelved the evictions on 4 December.