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Human Rights and Democracy Report 2014: Belarus - in-year update December 2015

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The human rights situation in Belarus improved slightly during the second half of 2015. However, serious concerns remain.

President Lukashenko ordered the release of six prisoners on 22 August 2015 on humanitarian grounds. This included the remaining political prisoners recognised by the EU. There were therefore no remaining EU-recognised political prisoners in Belarus at the end of 2015. All of the released prisoners were subject to further administrative restrictions on release; for example, regular reporting to police stations and travel restrictions. One prominent prisoner, Mikalai Statkevich, had been refused permission to stand as a candidate for the 2015 Presidential elections. Mr Statkevich was the only candidate from the 2010 Presidential elections who remained in detention.

Presidential elections took place on 11 October 2015. The Belarusian authorities invited the Organization for Security and Cooperation in Europe's (OSCE) Office for Democratic Institutions and Human Rights (ODIHR) to observe the elections. Other international observers included the Commonwealth of Independent States and the Parliamentary Assembly of the Council of Europe. The OSCE preliminary report noted that "Belarus still has a considerable way to go in meeting its OSCE commitments for democratic elections." There were some improvements, including a welcoming attitude towards observers, the introduction in some polling stations of transparent ballot boxes, and improvements for the visually-impaired. The early voting days and electionday itself passed off peacefully. However, significant problems existed in the counting of votes and the tabulation of the election results, as well as the make-up of the precinct and territorial electoral commissions.

In the run-up to, and during, the presidential elections, the Belarusian authorities allowed a number of protests to take place without formal registration. This open approach continued after the Presidential elections, but organisers of such protests are often heavily fined.

Independent human rights organisations, NGOs, and opposition political parties continue to be denied registration as official and legal entities. The Belarusian Christian Democracy Party attempted to register for the fifth time in August 2015 but was refused; it tried again in December 2015 and was again denied registration.

The reasons given by the authorities for non-registration were for minor errors in the application which the Party were not allowed to correct.

At the instigation of the Belarusian authorities, the EU-Belarus human rights dialogue re-started in July 2015. This forum allows the EU and Belarus an opportunity for frank discussion of wide range of human rights issues and concerns, including the death penalty and freedom of expression and association. The next meeting will take place in 2016.

Two death sentences were passed during this period: to Sergei Ivanov in July and to Ivan Kulesh on 20 November 2015. Both were convicted for serious crimes. These are now believed to be the only two prisoners on death row. Recent unconfirmed reports suggest Mr Eduard Lykow was executed in late 2014, but the authorities have never officially confirmed this.

Following the Universal Periodic Review (UPR) process which Belarus participated in on 4 May 2015, the Belarusian authorities accepted 168 out of 259 recommendations. These were wide-ranging, including recommendations on the death penalty, establishing a National Human Rights Institute, signing the Convention on the Rights of Persons with Disabilities, and fulfilling obligations under UN human rights mechanisms. Belarus fulfilled the first of these when it signed the UN Convention on the Rights of Persons with Disabilities on 24 September 2015. An international workshop on the UPR process was held in Minsk on 10 December, at which an expert from the UK Ministry of Justice was a guest speaker.

Despite the positive steps, the legislative framework for repressing freedom of expression, assembly and association remains in place. And, despite the more relaxed attitude by the authorities around the elections, journalists still faced harassment, as did some human rights defenders (HRDs). Two HRDs from Viasna and the Belarus Helsinki Committee were fined for observing a rally in November. Leonid Sudalenka, a Gomel-based activist, was repeatedly harassed by the authorities and then charged with tax evasion for the sum of €21. The case was finally dropped in December.

Another HRD, Mikhail Zhamchuzhny, was sentenced in July 2015 to six years following a closed trial. The charges against him are not clear since no details of the case have been officially released. The sentence was then increased by six months in October 2015 following an appeal by the prosecutor's office. His case is regarded by HRDs in Belarus as politically motivated. Mr Zhamchuzhny was the co-founder of Platform Innovation, a human rights activist group. The former Director of Platform Innovation, Andrei Bandarenka, remains in prison after his arrest in 2014. He was sentenced to three years in prison, and was not granted a reprieve under the annual amnesty.