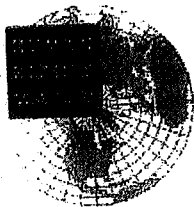


Belarus (88)

Human Rights Watch



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Human Rights Developments

The September 2001 presidential elections brought an unusual level of international attention to Belarus – but human rights abuses there followed familiar patterns. There were state or state-sanctioned attacks on the independent press, human rights defenders, opposition politicians, nongovernmental organizations (NGOs), and peaceful demonstrators. President Alexander Lukashenka was reelected, although no intergovernmental organization recognized the elections as free and fair.

In June, credible evidence surfaced implicating state agents in the 1999-2000 unsolved "disappearances" of opposition figures Yury Zakharenka, Viktor Gonchar, Anatoly Krasovsky, and Dmitri Zavadsky. Two former procuracy investigators who had fled Belarus in May released documents to support their claims that a special death squad, "Almaz," had assassinated the four men.

The election campaign began inauspiciously, when the Belarusian government prevented Mikhail Chygir, the strongest opposition candidate, from running for president. In December 2000, the Belarusian Supreme Court reversed a decision convicting Chygir of abuse of power, but returned his case to a lower court. The pending investigation precluded Chygir from contesting the September vote.

Detentions of canvassers, police raids on candidates' offices, the denial of opposition access to the state media, and unbalanced election commissions seriously compromised the integrity of the campaign and elections. The opposition united behind Vladimir Goncharik of the Independent Trade Union of Belarus, but had little chance of beating the odds. Opposition and independent NGO representatives were disqualified nearly categorically from district election commissions.

In two July incidents, police in Grodno detained volunteers collecting nomination signatures for independent

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candidates and confiscated the signature sheets; candidate Valery Levonevsky was also detained.

Police raided four of opposition candidate Semyon Domash's campaign offices in July, confiscating newspapers. On August 25, police raided Goncharik's Mogilev campaign headquarters, seizing election materials and detaining the regional campaign coordinator. Two days later, the Central Election Commission notified Goncharik of campaign violations, such as distributing independent newspapers, and warned him that they would remove him from the ballot for further violations.

On September 2, police in Kobrin detained three schoolboys under fourteen years old for putting up Goncharik posters. Without contacting their parents, police questioned the children and threatened them with imprisonment.

Authorities strongly encouraged "early voting," which allowed ballots to be cast at polling places five days before election day without the presence of monitors, making possible widespread vote fraud. The Belarusian Helsinki Committee (BHC) reported that four universities, including Belarus State University, Belarusian State Medical University, the University of Culture, and the Gomel Cooperative Institute cancelled classes and closed dormitories during election week. Rights groups accused authorities of taking these measures to force students to participate in "early voting" and to leave the cities before planned opposition demonstrations.

On September 10, the BHC filed a complaint with the Central Election Committee documenting more than one hundred pages of election violations and calling for the results to be invalidated. After the Central Election Committee rejected the complaint, the BHC appealed to the Supreme Court, which rejected the case on October 24.

In the pre-election period, Belarusian authorities systematically sought to cripple the independent press by confiscating newspapers and presses, bringing charges against editors and journalists, and detaining individuals for distributing newspapers. In July and August authorities seized printing equipment or newspapers from six different independent newspapers, and in August alone, police detained opposition activists for distributing seven independent newspapers. On election day the websites of several independent media outlets were inexplicably blocked.

Authorities particularly targeted Magic Publishing House, the independent publisher in Minsk of eighteen periodicals. During three raids in January and August, the tax police seized printing equipment, shut down printing presses, and confiscated issues of *Nasha Svaboda* (Our Liberty) and *Rabochy* (The Worker). Authorities installed the deputy director of the State Press Committee as acting director of Magic on August 27, obstructing Magic's independent operations.

The State Press Committee reprimanded the newspapers

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Narodnaia Volia (The People's Will) and *Komsomolskaia Pravda Belarus* on February 14 for publishing an article linking the arrest of opposition leader Mikhail Chygir's son, Alexander, to state harassment of opposition candidates. On February 20, the editors of the Krichev district independent newspapers *Volny Gorod* (Free City) and *Nash Volny Gorod* (Our Free City) were convicted of slander for publishing articles critical of the Russia-Belarus union. On March 13, the State Press Committee annulled the registration of the only Belarusian publication for sexual minorities, *Forum Lambda*.

Valery Shchukin, an opposition politician and journalist, received a three-month prison sentence in March for "malicious hooliganism." The charges derive from Shchukin's attempt in January to attend a press conference, when police violently barred him entry, inflicting serious injuries. Although Shchukin had press credentials, police said the event was open only to journalists from the state-run media.

The Ministry of Justice denied registration to the Youth Front, an opposition organization, on January 3, 2001, citing "irregularities" in its registration documents. On February 19, a Minsk court fined the group's leader, Pavel Syverinets, about U.S. \$460 for organizing a demonstration.

Authorities routinely detained peaceful demonstrators of all ages, often under article 167 of the Belarusian administrative code, which prohibits the organizing of unauthorized protests or mass actions. On December 10, 2000, Human Rights Day, peaceful demonstrators were detained under article 167 in five cities. Sergei Bakun of the Brest Youth Front was sentenced to ten days' imprisonment; two United Civic Party activists in Vitebsk were fined the equivalent of U.S. \$500 each.

During the annual March 25 Freedom Day demonstrations, twenty-five peaceful demonstrators were detained in Minsk alone. Pavel Syverinets and Ales Byalytski, chair of the Viasna Human Rights Center, were sentenced to fifteen days in prison. Ludmila Griazanova, an opposition politician, was fined approximately U.S. \$100. At the rally in Grodno, a seventeen-year-old photojournalist was reportedly detained, beaten, and warned not to file his story.

Activists from the youth movement Zubr faced detention for staging demonstrations, painting anti-Lukashenka graffiti, and distributing opposition materials. Youth activists were detained – and in some cases interrogated – without counsel, fined, or imprisoned, in ten cities. Police detained children in at least four of these cities. On August 14, Zubr reported that a Borisov police officer brutally beat a thirteen-year-old for posting Zubr stickers.

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Human Rights Defenders

Authorities used registration regulations, police raids, and web site jamming in attempts to silence human rights groups. The March 2001 Presidential Decree No. 8 further intensified the scrutiny of NGOs by forbidding funding from abroad to any organization involved in democracy, civil society, or election monitoring activities, effectively denying vital assistance to NGOs and independent newspapers.

The Viasna Human Rights Center received written warnings from the Ministry of Justice in December 2000 and August 2001 threatening to revoke its registration for alleged administrative violations. In February, the director of the Brest Association of People with Impaired Hearing was forced to resign for allowing opposition candidate Semyon Domash to hold a campaign meeting in the group's office. In April authorities shut down the Minsk office of the People in Need Foundation, a Czech human rights group, and deported its director. Unknown persons stole computer files and research from the Belarusian Helsinki Committee on March 28 and again on July 9. The items stolen, with other valuables ignored, raised suspicion of state responsibility.

On April 2, the Ministry of Justice refused to register the Legal Defense of Citizens, explaining that the organization's goals were contrary to the official definition of the term "legal assistance."

On July 20, civil rights attorney Vera Stremkovskaia was convicted of slander against the chief investigator in a case against Vasily Starovoitov, whom Stremkovskaia defended. In court, Stremkovskaia had accused the investigator of corruption.

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The Role of the International Community

United Nations

In November 2000, the U.N. Committee against Torture issued its third periodic report on Belarus, noting concern about "numerous continuing allegations of torture and other inhumane treatment or punishment" by state officials or with their acquiescence. The report called for the establishment of independent national commissions to investigate torture allegations and human rights abuses.

Organization for Security and Cooperation in Europe (OSCE)

In a concerted effort to discredit the Organization for Security and Cooperation in Europe (OSCE), President Lukashenka personally accused OSCE Advisory and Monitoring Group head Ambassador Hans-Georg Wiecek of "espionage." Obstruction by Belarusian authorities forced the OSCE to abandon the planned full-fledged observation mission. A limited observation mission was deployed, although two observers were denied visas. On September 3, Lukashenka threatened to expel both Ambassador Wiecek and the U.S. ambassador to Belarus.

On September 10, the OSCE declared that the September 9 presidential elections failed to meet OSCE standards. The preliminary report on the elections, however, praised the "growing pluralistic civil society"; called on the authorities, civil society, and the OSCE to begin a period of cooperation despite "recent disputes"; and deplored the international isolation of Belarus. Both Freimut Duvé, representative for freedom of the media, and Gerard Stoudmann, director of the Office of Democratic Institutions and Human Rights, cancelled planned visits to Belarus when several of their staff members were refused visas.

Council of Europe

In January 2001, the Parliamentary Assembly of the Council of Europe (PACE) voted against restoring special guest status to Belarus due to the "unsatisfactory" parliamentary elections and lack of respect for free and fair elections, rule of law, and human rights. A PACE delegation observed the September presidential elections. On September 10, the Council of Europe issued a joint statement with the OSCE and the European Union, calling the campaign and election undemocratic.

European Union

In its public statements, the European Union strongly

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supported the OSCE and the international election monitoring mission. A European Parliament delegation served as short-term observers. On September 11, the European Union announced that it would not normalize relations with Belarus in light of election violations.

United States

The United States followed closely the presidential campaign and elections in Belarus, issuing statements harshly criticizing authorities' treatment of the independent media, civil society, opposition candidates, and election monitors. The State Department also called for investigation into the "disappearances" of Zakharenko, Gonchar, Krasovsky, and Zavadsky. On September 10, the State Department declared the presidential elections undemocratic, citing the OSCE's findings.

The State Department's first annual report on trafficking in persons, released in July, assigned Belarus the lowest of three possible ratings, citing corruption, lack of programs to assist victims and witnesses, detention of victims during investigation, prosecution of victims for violations of other laws, and the criminal code's light penalty for trafficking.

International Financial Institutions

In June, the World Bank approved a \$22.6 million loan to Belarus, the first since 1994, to install and update heating, lighting, and insulation in 450 schools and hospitals. The World Bank held the negotiations "in connection with serious achievements in social and economic spheres which were reached by the Belarusian government last year."

The European Bank for Reconstruction and Development (EBRD), in an April 2001 letter to President Lukashenka, expressed concern over Belarus's failure to comply with the EBRD's required commitments to multi-party democracy and pluralism. The letter stated that the bank's future operations in Belarus would be reviewed after the fall presidential elections.

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