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BELARUS

Republic of Belarus

Head of state: Alyaksandr Lukashenka
Head of government: Sergei Sidorsky
Death penalty: retentionist
International Criminal Court: not ratified

The clampdown on civil society continued. The number of convictions of civil society activists increased as legal changes limiting freedom of association introduced at the end of 2005 came into effect. Opposition activists were subjected to harassment and arbitrarily detained. Mass detentions of peaceful demonstrators took place after presidential elections in March. The government did not adequately protect women against violence in the home. Use of the death penalty continued. No progress was made in investigations into four cases of enforced disappearance.

Background

Violations of the rights to freedom of expression and assembly were repeatedly condemned by the international community. The Election Observation Mission of the Organization for Security and Co-operation in Europe criticized the conduct of the presidential elections on 19 March. It found that "arbitrary use of state power and widespread detentions showed a disregard for the basic rights of freedom of assembly, association and expression". In conclusions passed on 10 April, the Council of the European Union (EU) criticized the elections and condemned the violence used by the Belarusian authorities against demonstrators and the arrests of demonstrators and members of the opposition. The EU instituted restrictive measures against 31 officials responsible for violations of international electoral standards and for the crackdown on civil society and democratic opposition. The list of officials against whom such restrictive measures would be applied was added to subsequently. On 18 May the EU froze the assets of President Lukashenka and 35 other officials.

Clampdown on freedom of association

Non-governmental organizations continued to face stringent controls and checks on their activities. A number of civil society activists were detained or charged under Article 193 of the Criminal Code which was amended in November 2005 to include a prison sentence of up to three years for "organizing and running an unregistered organization that infringes the rights of citizens".

- Four members of the non-governmental organization Initiative Partnership, which was planning to monitor the presidential elections, were arrested at their offices on 21 February by officers from the Committee for State Security (KGB). The KGB initially claimed that Mikalay Astreyka, Enira Branizkaya, Alyaksandr Shalayka, and Tsimafoy Dranchuk were organizing fraudulent exit polls and planning a violent uprising. In August the four were convicted of "organizing and running an unregistered organization that infringes the rights of citizens". Mikalay Astreyka was sentenced to two years' imprisonment, Tsimafoy Dranchuk to one year, and Enira Branizkaya and Alyaksandr Shalayka to six months each. All four were released before the end of 2006.

- At the end of December 2005 the Supreme Economic Court renewed its investigation into alleged tax evasion by the Belarusian Helsinki Committee, the only remaining national human rights organization still operating in the country. On 1 March, Tatiana Protko, the chair, was accused of not paying tax on a grant provided by an EU programme. A 1994 memorandum, agreed by the Belarusian authorities and the EU, granted tax exemption for this programme. Two court decisions in 2004 had confirmed that the organization's activities were lawful. As a result of the renewed investigation, the organization faced a potential fine of US\$70,000 for tax evasion, and possible closure. On 23 June, the Ministry of Justice lodged a separate claim with the Supreme Court for the closure of the organization on the grounds that it had violated tax laws. This case was continuing at the end of the year. On 1 November the Minsk Economic Court decided to confiscate property worth US\$118,300 towards payment of the tax that it ruled was owing. The property was removed on 5 December. On 19 December the property department of the presidential administration informed the organization that they must vacate their office premises by 20 January 2007. Without a legally registered address the organization would cease to be legal.

Detentions of peaceful demonstrators

Large numbers of peaceful demonstrators were detained and beaten by riot police and anti-terrorist forces during demonstrations following the March elections. According to the human rights group Vyasna, a total of 686 people were detained during the period 19-25 March. Most of those detained were charged with administrative offences, such as participation in unsanctioned meetings or hooliganism, which carry sentences of 10 to 15 days' detention.

- On 27 April, five leading members of the Belarusian opposition were tried and convicted under Article 167 of the Administrative Code, of "organizing an unsanctioned meeting". The charges related to a peaceful march to commemorate the 20th anniversary of the Chernobyl nuclear disaster on 26 April. The marchers had received permission to march to Bangalore Square in Minsk where speeches were to take place. However, Alyaksandr Milinkevich reportedly addressed the crowd before the march began. He and two others – Vintsuk Vyachorka and Alyaksandr Bukhvostov – were sentenced to 15 days' imprisonment. Zmitser Dashkevich and Sergei Kalyakin were sentenced to 14 days.

Harassment of opposition activists

Opposition activists were harassed and intimidated and increasingly sentenced for criminal offences in an attempt to discredit them.

- On 10 May, Artur Finkevich, a member of the Malady Front youth political movement, was sentenced to two years' corrective labour by the court of Pershamajski district for writing political graffiti. Artur Finkevich was charged under Article 339, Part 2 of the Criminal Code with "malicious hooliganism". In the past, youth opposition activists were sentenced under the Administrative Code to short-term sentences for graffiti writing. There was concern that the authorities may have used the Criminal Code for political reasons to deter other activists.

Prisoners of conscience

Eleven prisoners of conscience were held during the year.

- On 13 July, Alyaksandr Kazulin, presidential candidate in the March elections, was sentenced to five and a half years' imprisonment for "hooliganism" and "organizing group activities that breach public order or actively participating in similar activities". There was concern that these charges were part of an ongoing, systematic campaign of harassment, intimidation and obstruction by the Belarusian authorities against Alyaksandr Kazulin.
- In April Mikhail Marinich, a prominent opposition activist and presidential candidate in 2001, was released early for health reasons. He had been convicted in December 2004 of fabricated charges of "embezzlement by means of abuse of his official position executed on a large scale" and sentenced to five years' imprisonment later reduced to three and a half.
- Valerii Levonevskii was released on 15 May, having served the full two years of his sentence. Valerii Levonevskii and Alexander Vasiliev, the president and vice-president respectively of the national strike committee of market traders, had been sentenced to two years in prison in September 2004 for publicly insulting President Lukashenka in a satirical leaflet. Alexander Vasiliev had been released from prison on 7 July 2005 under an amnesty announced by the President to commemorate the end of the Second World War.

Violence against women

Despite some progress, measures to protect women from violence in the family remained inadequate. There was a lack of mandatory government training programmes for police, judges and medical staff. Key agencies such as law enforcement officers and the courts failed to record cases of domestic violence in a systematic manner.

There were no accurate statistics on the numbers of victims of domestic violence, but in 2005, 166 people were murdered in the home, and 2,736 women were victims of crimes in the home. The lack of public awareness and support meant many women were unable to escape violent situations.

Death penalty

According to press reports nine death sentences were passed during 2006. There was no official information on the number of executions carried out and death sentences imposed.

Update

No progress was made in establishing the fate of four people who may have been the victims of enforced disappearance in 1999 and 2000 and who were widely believed to have been killed by state agents.

AI country reports/visits

Reports

- Europe and Central Asia: Summary of Amnesty International's concerns in the region, January-June 2006 (AI Index: EUR 01/017/2006)
- Commonwealth of Independent States: Positive trend on the abolition of the death penalty but more needs to be done (AI Index: EUR 04/003/2006)
- Belarus: Domestic Violence - more than a private scandal (AI Index: EUR 49/014/2006)

Visit

AI delegates visited Belarus in February.