

Flygtningenævnets baggrundsmateriale

Bilagsnr.:	175
Land:	Belarus
Kilde:	OHCHR
Titel:	United Nations Expert Says That Systemic Assault On Dissent And The Media, Executions of Death Sentences Continue in Belarus
Udgivet:	24. december 2014
Optaget på baggrundsmaterialet:	16. juni 2015

- **Source:**
OHCHR - UN Office of the High Commissioner for Human Rights
- **Title:**
United Nations Expert Says That Systemic Assault On Dissent And The Media, Executions Of Death Sentences Continue In Belarus
- **Publication date:**
24 December 2014
- **ecoi.net summary:** According to UN Special Rapporteur on the situation of human rights in Belarus, Miklós Haraszti, human rights situation has not improved in 2014; continuing harassment of human rights defenders and persecution of independent journalists [ID 293923]
- **Countries:**
Belarus



United Nations Expert Says That Systemic Assault On Dissent And The Media, Executions Of Death Sentences Continue In Belarus

24 December 2014

GENEVA (24 December 2014) – As the year draws to an end, the United Nations Special Rapporteur on the situation of human rights in Belarus, Miklós Haraszti, deplores that there is no sign of improvement in the human rights situation in Belarus.

“In 2014, the Belarus Government made welcome efforts to ease the tensions and human rights crisis which evolved in the region. However, despite the expectations of the international community, expressed both bilaterally and multilaterally, the internal human rights situation in Belarus shows no signs of improvement.

The harassment of human rights defenders and persecution of independent journalists continued throughout the year; in December, a new internet law established direct governmental censorship over all internet-based communications; and death sentences continued to be handed down and executed in 2014.

1) The rights to peaceful assembly and association remained severely restricted.

Crackdowns and disbanding of demonstrations resulted in an increased number of arbitrary detentions and so-called preventive arrests of civil society actors. One activist, Pavel Vinogradov, was arrested fifteen times this year.

The case of Elena Tonkacheva demonstrates the pervasive harassment of human right defenders. Ms. Tonkacheva, the chairperson of the board of the Centre for Legal Transformation (LawTrend), is a citizen of the Russian Federation who has been permanently residing with her family in Belarus since 1985. LawTrend’s reliable reports have provided a vital service to the independent media and the UN human rights mechanisms.

A deportation order was issued against her following the cancellation of her residence permit on 30 October – an administrative decision based on alleged speed limit violations while driving her car. On 28 November, she lodged an appeal against the clearly disproportionate measure. I now urge the Belarusian authorities to immediately stop all administrative procedures and to reinstate her rights.

2) Unfortunately, Ms. Tonkacheva's case is typical of the authorities' recourse to fabricated charges to silence human rights defenders and the fragile independent media in Belarus.

As the OSCE's Representative on Freedom of the Media, Dunja Mijatovic, warned on 12 December, the second half of the year brought repeated persecution of freelance journalists and members of the independent Belarusian Association of Journalists (BAJ). Scores of authors of Internet posts which contained photographs taken on streets were fined for alleged violation of the regulations on public gatherings, in clear retaliation of their covering public protests.

Since 19 December, Belarusian authorities have been blocking Belarus's main independent websites: Charter97.org, Belapan.by, Naviny.by, BelarusPartisan.org, and several others.

A radically new phase of oppression of free expression is added to the hitherto persecution by an amendment to the Law on Mass Media, adopted in Parliament on 17 and 18 December without any public consultations and in closed sessions.

It practically puts all forms of internet-based communications under direct governmental censorship and jurisdiction. The bill creates a 'comprehensive register of distributors of information' and obliges online information resources to ask for permission to operate in a 'registration process'.

The new regulation places responsibility on the online resources for any material or comment considered to be 'harmful to the interests of the state'; and it authorizes government instances to issue warnings over content at their will. Any outlets receiving two or more warnings from the Information Ministry may be removed from the database and thus lose their right to 'distribute information'. Additionally, the law restricts foreign ownership in any media outlet to 20 percent of its capital.

3) Belarus remains the only country in Europe which retains the death penalty. In 2014, it carried out three executions, the latest being in October.

As in earlier cases, neither the family of the latest victim, Aleksandr Hrunou, nor his lawyer, were informed of the refusal of his petition for clemency and of the scheduled date of his execution. On 4 November, his mother reportedly received a parcel by post containing the clothes which he had worn the last time she had visited him in prison, and on 11 November, a notice from the court that the execution had been carried out.

Besides, like the two other death row inmates executed this year, Aleksandr Hrunou was executed despite his appeal to the United Nations Human Rights Committee, which had requested to put the execution on hold while the Committee considers the case.

4) The authorities must respect commitments to implement the recommendations made by United Nations human rights mechanisms.

In my latest report to the United Nations General Assembly, I made a number of recommendations to the Government on the way forward to creating a secure and enabling environment for human rights defenders and the rights to freedom of association, assembly, and expression, and offered my support to implement them. The Government has not reacted to my offer.

The situation of human rights in Belarus was first assessed in 2010 through the Universal Period Review (UPR) process, which involves a review of the human rights records of all UN Member States. The Government did not accept a number of important recommendations which would have made a significant positive impact on the protection of human rights in the country.

However, even among those it accepted, implementation has not always followed up. One of the accepted recommendations was to guarantee freedom of association and expression, including for the press, human rights defenders, political parties, civic organizations and trade unions.

In the UPR, while it did not accept the numerous recommendations made to put an end to the practice of capital punishment, the Government did commit to respect minimum standards in carrying out the death penalty.

Despite this commitment, the circumstances which surround executions in Belarus are deplorable. Those facing the death penalty, and their relatives, are not informed of the scheduled date of execution. Relatives are not informed of where the body is buried. I have repeatedly urged Belarus to impose at least a moratorium on the death penalty.

5) 2015 will be a key year for Belarus, with presidential elections due in autumn.

In April, the UPR will be reviewing Belarus for the second time. This is a window of opportunity for Belarus to set its human rights record straight, to place human rights at the centre of any ongoing and future change in its relationship with bilateral and multilateral partners.

Freedoms of assembly, association, and expression are prerequisites for free and fair elections; the Government should as of now align its law and practice to international standards, and guarantee the independence of civil society organizations and the media, by enabling them to operate legally, and free from harassment or reprisals.

I continue to stand ready to cooperate with the Government of Belarus in implementing this.”

Check the Special Rapporteur’s report: http://ap.ohchr.org/documents/dpage_e.aspx?si=A/69/307

The United Nations Human Rights Council established the mandate of Special Rapporteur on the situation of human rights in Belarus in March 2012. As a Special Rapporteur, Miklós Haraszti (Hungary) is independent of any government or organisation, and serves in his individual capacity. In the 70s, Mr. Haraszti was a founder of Hungary’s human rights and free press movement, and in the 1990s he was a Member of the Hungarian Parliament. From 2004 to 2010, he served as the OSCE Representative on Freedom of the Media. Since 2010, he has been a Professor at several universities teaching media democratisation. Learn more, log on to: <http://www.ohchr.org/EN/HRBodies/SP/CountriesMandates/BY/Pages/SRBelarus.aspx>

Read Mr. Haraszti’s reports on Belarus: http://ap.ohchr.org/documents/dpage_e.aspx?m=140

For use of the information media; not an official record

HR14/408E