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Human Rights and Democracy: The 2011 Foreign & Commonwealth Office Report -Quarterly Updates: Belarus

Quarterly updates: Belarus

Latest update: 30 September 2012

There was no change in the human rights situation in Belarus over the last three months. The authorities continued their harassment of the political opposition, civil society and independent journalists, denying individuals the right to freedom of expression and assembly. Belarus also held its parliamentary election, which the OSCE observer mission assessed to be neither free nor fair. One political prisoner was released in September, with rumours of two more. Ten political prisoners remain in jail.

On 4 July, representatives of a Swedish PR firm dropped teddy bears over a Minsk suburb bearing messages of support for human rights. After initially denying the incident had taken place, the authorities arrested two Belarusians and detained them without charge for 5 weeks before releasing them on bail and charging them with complicity in committing an illegal crossing of the state border. If convicted they could be sentenced to up to seven years in prison.

Ahead of the parliamentary election on 23 September, there were short-term detentions of opposition activists. The authorities detained and charged a number of them for “hooliganism” and “swearing in the street.” Independent journalist Andrzej Poczobut was charged with defamation against the President on 21 June. He was released on bail on 30 June but faces up to five years’ imprisonment if found guilty. Civil society activist Viktor Kornienko was prevented by the authorities from travelling to Vienna for an OSCE event on Democratic Elections on 12 July. Yavor Viniatski, a member of the “Tell The Truth” campaign’s youth wing, was arrested in his apartment on 5 September. He was charged with “disorderly conduct” and sentenced to seven days in detention. His campaign materials were also confiscated.

Several opposition parties called for a boycott of the election. They were then barred from accessing free airtime on TV and radio following a ruling by the Central Election Commission (CEC). On 18 September, the authorities detained seven journalists covering a protest in support of the election boycott: some of them reported that they were beaten during their arrest. Belarusians participating in the protest were arrested and fined, or sentenced to up to 12 days administrative detention for participation in an unsanctioned meeting.

The Organisation for Security and Cooperation in Europe (OSCE) Office for Democratic Institutions and Human Rights (ODIHR) issued a [preliminary election observation report on 24 September](#). It found that, despite some improvements to the electoral law, “citizens’ rights to associate, to stand as candidates, and to express themselves freely were not respected”. They concluded that the “elections were not held in an impartial manner” and “prominent political figures who might have played a role in this contest remained imprisoned or were not eligible to register due to their criminal record”. The OSCE noted that the “electoral process deteriorated considerably during the count.” The full report is expected within the next two months. In a statement on the parliamentary election, [we called on the government to work constructively with the OSCE on further reforms](#).

In August, Zmitser Dashkevich had his sentence extended by a year for “deliberate disobedience”. His sentence now runs until August 2013. Dashkevich was convicted in March 2011 of an assault allegedly carried out the day before the disputed December 2010 Presidential election. Amnesty International recognises him as a ‘prisoner of conscience’. The British Ambassador in Minsk raised his case with the local authorities on 29 August, at the same time expressing our continued concern for the welfare of all political prisoners. The Minister for Europe also raised his case with the Belarusian Ambassador on 12 September.

On 26 September Syarhei Kavalenka was released. As with other political prisoners, he had applied for a presidential pardon. Kavalenka was convicted in May 2010 on charges of violently resisting arrest in connection with an incident on 7 January 2010 when he placed the previous Belarusian national flag on top of a 35 metre high New Year’s tree. He was given a three year suspended sentence. On 24 January 2012 he was sentenced to two years in prison for violating the conditions of his release. Amnesty International recognised him as a ‘prisoner of conscience’. Kavalenka’s release brings the number of political prisoners still in detention to ten.

Latest Update: 30 June 2012

The Human Rights situation in Belarus remained grave in the three months between April and June 2012.

The period began on a positive note, with the release from prison on 14 April of former presidential candidate Andrei Sannikov, followed by his former campaign manager Dmitry Bondarenko on 15 April. They had been sentenced in 2011 to five and two years imprisonment respectively for their participation in the protests in

Minsk after the December 2010 presidential election. However, it is believed that both men were put under pressure to request a presidential pardon and were only released on this basis. As a result, the authorities have not restored their full political and civil rights. On 15 April, the Minister for Europe David Lidington welcomed the releases, but underlined his hope that they marked the beginning of a resolution to the outstanding issue of political prisoners.

As recorded in the previous update (January to March 2012), EU Ambassadors were recalled en masse from Minsk in response to the Belarusian authorities unacceptable treatment of the Head of the EU Delegation and the Polish Ambassador. All EU Ambassadors had returned to Minsk by 30 April, with instructions to continue to press the Belarusian regime for the release and rehabilitation of all political prisoners.

Beyond the two releases and the return of EU Ambassadors, the overall situation continued to deteriorate. The authorities persistently harassed both civil and political activists. On 9 April, opposition activist and former political prisoner Alyaksandr Malchanaw was sentenced to one-and-a-half years in prison for stealing scrap metal worth \$40. At his court hearing, local media reported that he explained that he had gathered the metal, which he thought had been abandoned, because he could not find a job due to his previous conviction in connection with the December 2010 post-election protests. Independent journalists continue to be routinely hampered from doing their work. Journalist Dzyanis Kudryn was allegedly beaten by a police officer for accessing the independent Charter 97 website in a public internet café. A trend has emerged in which opposition and civic activists are detained for “swearing in public” or “hooliganism”, usually leading to a jail sentence of between 5-10 days. On 24 May, human rights defender, Aleh Volchek was arrested and sentenced to nine days’ detention for allegedly swearing. On 31 May, Alexei Pikulik, a member of the Belarusian Institute for Strategic Studies was detained for five days on a questionable charge of hooliganism, with his freedom of movement subsequently restricted.

An undeclared travel ban list is in place which includes many political opposition figures, human rights activists and members of civil society. People on the list are either not allowed to leave Belarus or can expect severe difficulties in doing so. On 6 June, former-presidential candidate Andrei Sannikov was removed from a train to Vilnius near the Lithuanian border. On the same day, Mr Sannikov’s lawyer Maryna Kavalewskaya was stopped because she had “dodged” the military draft, despite being in possession of official confirmation that she is not registered for military service. Women are, in any case not obliged to carry out military service in Belarus. A number of other individuals have been harassed at the Belarusian border; in some cases, the authorities have carried out strip searches.

Quarter One Update: 31 March 2012

The first three months of 2012 was marked by executions, NGO reports of further arrests and convictions on trumped-up charges, and undeclared bans on individuals

leaving the country. These resulted in further EU sanctions, leading to a marked deterioration in EU – Belarus relations.

On 14 March, Dzmitry Kanavalaw and Uladzislaw Kavalyow were executed for allegedly carrying out the bomb attack on the Minsk Metro in April 2011. A number of international NGOs and local observers expressed their concern at the standard of the evidence and the fairness of the trial. The sentence was carried out in spite of a request from the UN Human Rights Council 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 and have not been told where they are buried. Unusually, the execution was carried out on the same day that the President announced his refusal to grant clemency. This gave rise to speculation that the execution was meant to send a political message to the EU at a time of rising tension in EU-Belarus relations. If so, this was deplorable. [On 18 March the Minister for Europe voiced his deep concern at the executions](#) and called on Belarus to establish a formal moratorium on the death penalty. The UK also secured a rare statement by all 47 Member States of the Council of Europe, deploring the execution and calling on Belarus to implement a moratorium on the use of the death penalty as soon as possible.

There have been no releases of political prisoners in the period between January and March. The EU recognises 12 individuals who remain in long term detention as political prisoners. Those in detention reportedly continue to come under extreme physical and psychological pressure to apply for clemency from President Lukashenko, which would effectively allow the authorities to claim that the prisoners had admitted their guilt. Andrei Sannikov and Zmitser Bandarenka have applied for pardons, but the relevant Committee has not met to consider this. One of the reasons given for not dealing with Sannikov's application is that the authorities are checking whether it was made under the duress of torture.

On 19 December 2011, the authorities arrested opposition activist Syarhei Kavalenka for an alleged violation of his suspended sentence. This had been in place since January 2010 for putting a historic white-red-white flag of Belarus on a Christmas tree in Vitsyebsk. On 24 February he was sentenced to more than two years in prison. We have grave concerns about his physical condition in the light of the sustained hunger strike he has been on since he was arrested. It appears that the authorities have been force-feeding him since mid-March.

The Belarusian authorities continued to take politically-motivated action against civil society and opposition activists throughout this period. In January the appeal of Ales Bialiatski, prominent human rights defender and head of human rights group Viasna, was rejected by the Belarusian Supreme Court. Bialiatski will now serve the remainder of his four and half year sentence for alleged tax evasion relating to funds paid to support Viasna. The authorities have again threatened to dissolve a registered human rights group, the Belarusian Helsinki Committee, over a long-standing case relating to tax and fines for a donation received in 2002-03. The Belarusian Christian Democracy Party was denied state registration for the fourth time for minor

administrative errors in its applications. This means that its activists remain vulnerable to prosecution under the Belarusian Criminal Code's Article 193.1, which penalises acting on behalf of an unregistered organisation. On 25 March, the annual "Dzen Voli" (Freedom Day) demonstration was allowed to go ahead peacefully in Minsk. There were no arrests at the event, but independent reports suggest that some potential participants were arrested pre-emptively.

In the last three months, the authorities appear to have introduced an undeclared travel ban for certain Belarusian citizens. Opposition figures, civic activists and independent journalists have been prevented from leaving the country via national borders on a number of occasions in recent months. The most recent example was the reported arrest of three opposition activists on 28 March while they were travelling by train to Moscow. The border between Russia and Belarus is open, but they were arrested for 'hooliganism' before the train crossed the frontier.

In response to the continued repression, the EU agreed further sanctions against the Belarusian regime at both the February and March Foreign Affairs Councils. The UK strongly supported these measures, which included targeted economic sanctions against individuals and entities backing and profiting from the regime. These sanctions will continue until the authorities release and rehabilitate all political prisoners and commit to real democratic reform.

As a direct result of the February sanctions, the Belarusian government recalled their Ambassadors to Warsaw and the EU. They also suggested that the EU and Polish Ambassadors to Belarus should return to their capitals for consultations. In response, the EU decided to recall all EU Ambassadors from Minsk as a gesture of solidarity. It is currently unclear when they will return. [On 29 February, the Foreign Secretary expressed his disappointment at the stance of the Belarusian regime](#). On the same day, the Belarusian Ambassador was summoned to the Foreign Office to underline the UK's disapproval.
