

BELARUS: TIGHTENING THE SCREWS ON DISSENT

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"Of course, I am afraid. I am afraid for myself and my future. Gradually the fear for myself grows into fear for the people of my country and their future."

Pavel, 21, an activist in the youth opposition movement Zubr

Ahead of presidential elections in Belarus scheduled for 19 March 2006, the authorities are delivering another assault on human rights. Opposition activists are being detained and sentenced for the legitimate expression of their political views while the authorities have tightened up legislation to clamp down on civil society, stifling human rights in the process.

Amnesty International is launching a campaign to show solidarity with the victims of this current clampdown on civil society and opposition forces. The organisation is also calling on members of the public to join this action and write letters to the Belarusian authorities to demand that they respect freedom of expression at this crucial time.

In January 2006, President Lukashenka announced that there would be no repeat of the Ukrainian and Georgian scenarios, referring to the "coloured revolutions" which brought about changes of government in both countries. Since the end of 2005, the government in Belarus has been introducing changes to the Criminal Code and the Code of Criminal Procedure to equip the authorities to further curtail the activities of the political opposition and all civil society groups.

One of many new laws includes an article whereby anyone who organises or participates in the activities of a suspended or liquidated organisation could face a fine and be imprisoned from six months to three years. Earlier in 2005, parliament adopted a number of amendments to laws on public associations and political parties that further strengthened state control over non-governmental organisations. Amnesty International is concerned that the last vestiges of freedom of expression and assembly are being swept away.

Harassment of opposition figures

There have been an increasing number of incidents of harassment and violation of the right to freedom of expression targeting the opposition in the run up to the elections.

On 9 March 2006, Vinchuk Vyachora, a member of opposition presidential candidate Alexander Milinkevich's campaign team, was sentenced to 15 days' detention for "organising an unsanctioned meeting" between the presidential candidate with voters in Minsk, in spite of the fact that election law does permit such meetings. Nine further members of the opposition -- Aleksandr Pavlovskii, Petr Babarenko Alexander Zelko, Dmitrii Kudryavstev, Petr Topar, Vladimir Gribin, Aleksej Makovich, Sergei Pyantsevich, and Artem Litvinko -- have also been sentenced to 15 days' detention for the same offence.

On 2 March 2006, Alyaksandr Kazulin, presidential candidate for a social democratic party, Narodnaya Hramada, was beaten and detained when he tried to register with a group of supporters for a government-organised rally in Minsk. Witnesses said that when Alyaksandr Kazulin and his supporters tried to approach the registration desk they were beaten by a group of 30-40 plain clothes law enforcement officers from the Fast Response Forces. Alyaksandr Kazulin was held in a police station for eight hours before being released and warned that he may be charged with two criminal offences. Twelve of his supporters who went to the police station to support him were also reportedly beaten and detained. In a further incident police fired guns at a car driven by Kazulin's supporters who were trying to film the detentions.

In a letter to the Minister of the Interior on 3 March 2006 concerning Alyaksandr Kazulin's detention, Amnesty International called for an investigation into the beatings. The organisation reminded the Minister of the Interior of Belarus' obligations under the International Covenant on Civil and Political Rights to guarantee all people within their territory the right to freedom of expression and peaceful assembly, particularly in the run up to the presidential elections.

A number of prominent opposition activists are currently serving prison sentences or have had their freedom restricted because of their political activities. Sergei Skrebets, former parliamentary deputy and leader of an opposition parliamentary fraction "Respublika", was arrested in May 2005 and is now on trial for three separate economic crimes. Observers claim that the charges are politically motivated and that the real reason for his detention is his public opposition to President Lukashenka.

Harassment of members of the youth opposition movement, Zubr, has increased in recent months. The organisation has recorded 339 instances of harassment against its members since September 2005. These include exclusion from places of study, attempted recruitment as informers by the State Security Service (KGB) and administrative sentences, and warnings for leafleting and graffiti.

Amnesty International is concerned about the case of Artur Finkevich and Aleksei Yanushevskii, who were detained on 30 January for writing graffiti. They have been charged under the criminal code for "violent hooliganism" and could face prison sentences of up to six years. Members of Zubr have been conducting a campaign of writing political graffiti -- the slogan "dostal" or "we are fed up" -- throughout the country. In the past, Zubr activists who have been charged for the offence of writing graffiti have been sentenced under the Administrative Code to short-term sentences. Amnesty International is concerned that the authorities may be using the Criminal Code for political reasons to deter other Zubr activists.

Civil society under threat

The last remaining national human rights organisation, the Belarusian Helsinki Association (BHC), is again threatened with closure. On 1 March 2006, Tatiana Protko, the chair of the BHC, was accused of tax evasion and the organisation faces a potential fine of \$70,000 and probable closure.

These charges were first made in January 2004, when the tax inspection office of the Minsk Moskovskaia District accused BHC of using a grant, provided by a European Union (EU) programme, without registering the foreign humanitarian aid and not paying taxes in accordance with national legislation. A 1994 memorandum, agreed by the Belarusian authorities and the European Union, grants tax exemption to this programme. Two court decisions in 2004 confirmed that the organisation's activities were lawful and complied with all procedures as required by the Belarusian authorities. Despite this, a criminal investigation into the alleged tax evasion continued until the end of December 2004, when the charges were dropped until being renewed this year.

On 21 February 2006, Mikalay Astreyka, Enira Branizkaya, Alyaksandr Shalayka, and Tsimafey Dranchuk were detained in Minsk by Belarusian KGB officers. They were all members of an unregistered organisation called the Initiative Partnership which carried out independent election monitoring. It had monitored the elections and referendum in 2004 and was preparing to monitor elections on 19 March. KGB officers raided and searched the organisation's regional offices before detaining the four in Minsk.

All four members of the organisation have been charged with acting in the name of an unregistered organisation under Article 193 part 2 of the Criminal Code which was introduced in November 2005, and they could face possible maximum prison sentences of three years. Human rights activists are concerned that they were detained by the KGB rather than regular police forces and see this as a possible sign that they could be charged with a more serious offence. The KGB have accused the Initiative Partnership of organising fraudulent exit polls and planning a violent uprising after the election. The activists were formally charged on 3 March 2005 and remain in detention. If they are sentenced, Amnesty International will consider them to be prisoners of conscience and will call for their immediate release.

The government clampdown on civil society and freedom of expression is a concern of the international community. On 9 March 2006, René van der Linden, President of the Council of Europe Parliamentary Assembly (PACE), condemned the government's "intimidation campaign against the opposition". In February 2005, the Representative on Freedom of the Media of the Organization for Security and Cooperation in Europe visited Belarus and criticized Belarus' restrictive media legislation, lack of an independent news media, and laws that criminalize libel and protect state officials from legitimate criticism.

Amnesty International also has a number of other human rights concerns which are not featured in this action.

"Disappearances"

Still unresolved are the cases of leading opposition figures Yury Zakharenko and Viktor Gonchar, businessman Anatoly Krasovsky, and investigative television journalist Dmitry Zavadsky who all "disappeared" in 1999 and 2000. There is credible evidence indicating government involvement in the "disappearances".

The 61st Session of the United Nations Commission on Human Rights (UNCHR) meeting in Geneva adopted on April 14 2005 a resolution criticising Belarus' human rights record. It also urged the government to conduct an independent investigation into the "disappearances".

Unsolved death of a critical journalist -- ailing son in detention

16-year-old Anton Filimonov is the son of an outspoken journalist, Veronika Cherkassova, who was murdered in 2004. At the time of her death, Anton and his grandfather were accused of the murder and were investigated but the charges were dropped in April 2005.

Anton Filimonov was detained on 27 December 2005 with four other people for allegedly producing Belarusian bank notes on a home computer. On 30 December four of the detainees were released, but Anton Filimonov remained in detention in Minsk and was charged with the falsification of currency. However, Anton Filimonov was interrogated about the murder of his mother and not the falsification of bank notes. He said police officers exerted psychological pressure upon him to confess to the murder of his mother. Anton has heart and kidney problems and has been deprived of the medication that he takes for his conditions.

In a letter to the Belarusian authorities, Amnesty International asks for Anton to be released under suitable bail conditions because of his age and his health problems.

Prisoners of conscience

Mikhail Marinich, an opposition leader, was sentenced on 20 December 2004 to five years' imprisonment on trumped-up charges of abusing an official position and theft. His health has seriously deteriorated. His sentence has been cut down to three and a half years.

On 31 May 2005, Nikolai Statkevich, chair of Narodnaya Gramada, a social democratic party, and Pavel Severinets, head of the Popular Front youth movement, were sentenced to three years of corrective labour by Minsk Central District Court. They were convicted for organizing protests in Minsk against electoral irregularities in parliamentary elections in October 2004 and in a referendum in which President Lukashenka won the right to lift the constitutional limit of two presidential terms. Their sentences were immediately reduced to two years under the terms of an amnesty proclaimed in May 2005.

On 10 June 2005, Andrei Klimov, a former businessman and outspoken opposition politician, was sentenced to one and a half years of "restricted freedom" after being convicted of public order offences for organizing protests on 25 March. He started his sentence in September. Many protesters had been injured when riot police forcibly dispersed the March demonstration, which marked Freedom Day, the anniversary of the creation of the Belarusian People's Republic in 1918.

Death penalty

No official statistics on the death penalty were published in 2005. According to the unregistered human rights group Viasna, at least one execution was carried out in 2005. In July that year, the deputy head of the presidential administration said that abolition of the death penalty could be considered "once social and economic preconditions were in place". Despite this statement from the government, there have been no moves since then to end the use of the death penalty.

See: Amnesty International's campaign: <http://web.amnesty.org/pages/blr-140306-action-eng>
