

INTERNATIONAL LEAGUE FOR HUMAN RIGHTS

BELARUS UPDATE

Edited by Victor Cole

Vol. 6, No. 6

November 2003

IN THIS ISSUE:

- Armitage Meets With Belarusian Human Rights Activist
- Anti-Referendum Rally: 21 Detained
- Belarusian Court Seals NGO's Fate
- ...And Goes After Another
- Lukashenko: "Register That Badge Or Else!"
- Zubr Distributes Newspapers, Leaflets: Two Activists Arrested
- BNF Activist Fined \$1,200
- IHF Expressed Concern Regarding Human Rights Situation In Belarus
- Belarusian Independent Daily To Pay Hefty Libel Fines
- Belarusian Jews Seek Law Banning Extremism
- UN Labor Body To Probe Labor Abuses In Belarus
- ICFTU Welcomes ILO Decision
- Lukashenko Supports Slavic Movement And Communists
- Government: No Illicit Arm Sales
- Two Years Later Defendant Gets Trial
- New Party Emerges In Belarus
- Leaders Of European Coalition Free Belarus Visit Germany

--HUMAN RIGHTS AND OPPOSITION NEWS --

ARMITAGE MEETS WITH BELARUSIAN HUMAN RIGHTS ACTIVIST

On November 19, Richard Armitage, Deputy Secretary of the U.S. Department of State, met with Irina Krasovskaya, J. Adam Ereli, State Department Deputy Spokesman, said in a statement. [Krasovskaya's husband, Anatoly, was a well-known businessman who had provided moral and financial support to Belarusian opposition until he and Victor Gonchar, 13th Supreme Soviet Deputy Chairman, disappeared in September 1999. As an active participant in We Remember, a civic initiative that seeks justice for the disappeared and other victims of political repression in Belarus, Krasovskaya helped to win support for a U.S.-sponsored resolution at the United Nations Commission on Human Rights in April 2003 that urged Belarus to establish accountability for the disappeared. – Ed.]

According to Erel's statement, last week, Krasovskaya visited Washington, D.C. to condemn lack of democracy and human rights in Belarus, to encourage Congress to pass the Belarus Democracy Act (BDA), and to solicit assistance in pressing for an independent investigation of her husband's disappearance. [The BDA (Title XV-- Promotion Of Democracy, Human Rights, And Rule Of Law In Belarus) is currently a part of the Millennium Challenge Account, Peace Corps Expansion, and Foreign Relations Authorization Act of 2003 (H.R. 1950), which has been passed by the House, and placed on the Senate's calendar. – Ed.] According to the statement, Secretary Armitage assured Krasovskaya of full-fledged U.S. support for human rights and democracy in Belarus. He underscored the United States' determination to continue pressing the Lukashenko regime for accountability in the cases of her husband and others who have disappeared, as well as unwavering support for those who defend human rights in Belarus despite severe governmental repression.

Krasovskaya also met with Paula Dobriansky, Under Secretary of State for Global Affairs, and officials of the Bureaus of European and Eurasian Affairs and Democracy, Human Rights and Labor Affairs. In addition, Krasovskaya met with Amb. Shirin Tahir-Kheli, Special Assistant to the President and National Security Council Senior Director for Democracy, Human Rights and International Operations. (U.S. State Department, November 21)

ANTI-REFERENDUM RALLY: 21 DETAINED

On November 24, activists of the opposition Malady (Youth) Front staged a rally titled "No To the Third Referendum!" to protest Lukashenko's possible third term in office, Viasna Human Rights Center reported. The action marked the 7th anniversary of the controversial 1996 referendum, which greatly extended and expanded Lukashenko's authority. Although the city authorities designated the infamous Bangalor Square, located at the city's outskirts, the action's organizers decided to start the march in Yakub Kolas Square, in central Minsk, in order to attract more participants. As soon as protesters started walking toward Independence Square, police detained Yauhen Skochka, Zmitser Dashkevich, Aksana Novikava, Ruslan Kharkevich, Aleh Hnedchyk, Vasil Parfyankou, and Ales Zapartyka. According to Evgeny Skochko, who was released shortly because he had a journalist accreditation, about 17 people, mostly minors, were arrested. Radyjo Racyja, an independent Belarusian-language online news service, reported that four people had been arrested even before the action started. According to Viasna, all the detainees were taken to the Sovetsky Precinct. On November 25, Dashkevich, Parfyankou and Ales Zapartyka were sentenced to 15 days in jail. Artur Finkevich, one of the protest organizers, is currently serving a 15-day jail term for distributing leaflets urging passerbys to attend the rally (see Belarus Update Vol.6, Nos. 4, 5). (Viasna, Radio Racyja, Radio Free Europe/Radio Liberty (RFE/RL) November 22-25)

BELARUSIAN COURT SEALS NGO'S FATE

On November 24, a panel of Belarusian Supreme Court judges denied an appeal of Ratusha, a Hrodna Region non-governmental organization (NGO), which asked the Court to review the Hrodna Regional Court's August 21 decision to liquidate Ratusha, www.belngo.info reported. (belngo.info, November 24)

...AND GOES AFTER ANOTHER

On November 24, the Belarusian Supreme Court resumed hearing the liquidation case against Ruka Pomoshchi (The Helping Hand), a Belarusian charitable foundation, Viasna Human Rights Center reported. The Justice Ministry alleged that the group failed to update its legal address information on file with the Ministry, failed to register its logo with the State Heraldic Registry [see the article below], and failed to meet the corporate seal regulations of the Interior Ministry. (Viasna, November 24)

“REGISTER THAT BADGE OR ELSE!”

On November 24, continuing his assault on civil society in Belarus, Lukashenko signed Order No.532, which amends certain rules on registration of emblems, badges, banners, and logos by governmental organizations and NGOs, BELTA, Belarusian news agency, reported. Now, in order to be able to use any logo or a badge, an NGO will have to register it with the State Heraldic Registry. Failure to comply may lead to a warning and eventually to liquidation. Local observers believe that by introducing yet another mandatory and costly regulations, the Lukashenko regime is attempting to further impede NGO activities in Belarus. (BELTA, November 24)

ZUBR DISTRIBUTES NEWSPAPERS, LEAFLETS: TWO ACTIVISTS ARRESTED

Two Zubr activists were arrested on November 23 in the city of Zaslavl, in the Minsk Region, for distributing the *Soprotivleniye* [*Resistance*] newspaper, the movement website reported. After Luba M. and Sergei K. finished handing out copies of the paper in the city market, plain clothed agents pushed the activists into a car and drove them to the Zaslavl police department, where the two were kept in detention for five hours. After getting fingerprinted and interrogated at the station, the activists were charged with distribution of non-registered publications, Article 172 of the Administrative Code. In addition, the Department Chief threatened to bring criminal charges if the activists continue to engage in Zubr protests.

In the last few days, Zubr's materials appeared in more than a dozen cities in the Minsk, Brest, and Mogilev regions. Fliers featuring the "He Must Go!" slogan and the movement logo appeared in the streets of Kletsk, Zaslavl, Osipovichi, Liahovichi, Rusinovichi, Gonchary, Olehnovichi, Molodechno, Smolevichi, Talka, Veraitsey, and Rudensk. A national white-red-white flag, which is forbidden by the authorities, was raised in Maryina Gorka, Minsk Region, near the railway station.

In an effort to fill the information vacuum, Zubr activists began distributing the movement's *Soprotivleniye* newspaper in Minsk universities. Students at the Belarusian State Pedagogic University and Belarusian State University received hundreds of copies. In addition, Zubr activists handed out the newspaper near subway stations and large supermarkets. The newspaper was also distributed in the cities of Derzhinsk and Stolbtsy, Minsk Region on November 23. No related arrests were reported. "He Must Go!" fliers appeared in the streets of Belarus' capital on November 22. The fliers were glued onto the bus stops and walls on Skaryna Avenue, Nemiga, Bogdanovitch, and Kiseleva streets in downtown Minsk. (Zubr, November 17-24)

BNF ACTIVIST FINED \$1,200

As we reported in previous issues, on November 2, which is celebrated in Belarus as the Dziady or Ancestors' Commemoration Day, police in Vitebsk arrested seven activists of the Belarusian Popular Front's Conservative Christian Party while they were installing wooden crosses on Uspenskaya Hill to commemorate the victims of Stalin's repressions who were shot there in the 1930s (see Belarus Update Vol.6, Nos. 3 - 5). While most of the activists received warnings, Judge Marina Morozova fined Vladimir Pleschanka 2.5 million Belarusian rubles (US \$1,200), judging him to be the chief organizer of the unsanctioned action. (Viasna, November 17)

IHF EXPRESSED CONCERN REGARDING HUMAN RIGHTS SITUATION IN BELARUS

At the General Assembly of the International Helsinki Federation for Human Rights (IHF) held in Vienna on November 13 – 16, representatives of the 41 national Helsinki Committees and cooperating organizations in the OSCE region expressed deep concern about the ongoing process of thwarting the work of human rights defenders, as part of the ongoing liquidation of civil society structures orchestrated by the Lukashenko regime. (IHF, November 17)

-- MEDIA FREEDOM IN BELARUS --

BELARUSIAN INDEPENDENT DAILY TO PAY HEAVY LIBEL DAMAGES

On November 17, the Minsk City Court ordered *Narodnaya Volya*, largest independent daily, to pay 50 million Belarusian rubles (US \$23,500) in libel damages to Egor Rybakov, head of the Belarusian State Television and Radio Company (BRT), Belapan reported. Rybakov sued *Narodnaya Volya* over an article written two years ago by Marina Koktysh, *Narodnaya Volya* journalist, in which Eleanora Yazerskaya, then a BRT host, claimed that Rybakov contributed to the BRT's "ruin," citing rumors that he was to blame for the deaths of some of his employees. The court ordered Koktysh and Yazerskaya to pay Rybakov 3 million Belarusian rubles each. According to Viasna Human Right Center, although the trial was open, only nine people were admitted to the courtroom, while approximately 15 journalists and public activists remained outside of the closed doors. A reporter from *Komsomolskaya Pravda*, a Moscow-based daily, was not allowed to bring a tape recorder to the courtroom.

Three weeks ago, a district court ordered the newspaper to pay 10 million Belarusian rubles in damages and the journalists to pay 1 million Belarusian rubles each. Apparently unsatisfied with the size of the fine, Rybakov appealed the court's decision. Iosif Seredich, *Narodnaya Volya*'s editor-in-chief, called the court decision the "implementation of a political directive." "The authorities are cleaning up the informational field ahead of parliamentary and presidential elections, and a possible constitutional referendum," said Seredich, adding that the newspaper is considering an appeal to the Belarusian Supreme Court. Mikhail Pastukhov, head of the Belarusian Association of Journalists' Law Center for Media Protection and former Belarusian Constitutional Court justice, believes the court decision was untenable because no new facts were introduced on appeal. "I believe the court decision does not take into account the defendants' ability to pay such a heavy fine," Pastukhov added.

In 2002, *Narodnaya Volya* was sued by several individuals following its publication of articles they claimed to be libelous. In June 2002, a Minsk city court temporarily froze *Narodnaya Volya*'s bank account, after two Zhodino judges filed a libel suit against the newspaper(see Belarus Update, Vol. 5, Nos. 25-26). On September 20, 2002, a Minsk court ordered the confiscation of approximately 5 million Belarusian rubles (US \$2,630) worth of the newspaper's equipment as a settlement for another libel suit that was brought by another judge. (Belapan, BAJ, Viasna, November 17-19)

-- RELIGIOUS FREEDOM IN BELARUS --

BELARUSIAN JEWS SEEK LAW BANNING EXTREMISM

It is time for Belarus to start effectively enforcing laws prohibiting deliberate incitement of ethnic hatred [Art. 130 of the Belarusian Penal Code. – Ed.], Yakov Basin, Belarusian representative of the Union of Councils of former Soviet Jews (UCSJ), said in an interview to Belapan, Belarusian news agency, UCSJ reported. Basin said that he had received a reply to his October 30 letter sent to Victor Sheiman, Belarusian Prosecutor-General, Stanislav Buko, chair of the Committee of Religious and Nationalities Affairs (CRNA), and Vladimir Rusakevich, Information Minister. In the letter, he complained that despite the official ban, *Russky Vestnik*, an anti-Semitic newspaper, was available for sale at the Pravoslavnaya Kniga (Orthodox Book) bookstore in Minsk, which is affiliated with the Belarusian Exarchate of the Russian Orthodox Church (see Belarus Update, Vol. 6, No. 3). According to Basin, the Belarusian Prosecutor General office forwarded the complaint to the Minsk Prosecutor's Office. (UCSJ, November 18)

--TRADE UNION NEWS--

UN LABOR BODY TO PROBE LABOR ABUSES IN BELARUS

Following a complaint under Art. 26 of the International Labor Organization Constitution against the Belarusian government for failing to observe the fundamental freedom of association Conventions Nos. 87 and 98 (see Belarus Update, Vol. 6, No. 3), the ILO's Governing Body decided to establish a special Commission of Inquiry to examine violations of trade union rights in the country. The ILO decision sets in motion the strongest procedure available to the UN body, and reflects the frustration of worker, employer and many government members of the ILO Governing Body at the continued refusal of the Lukashenko regime to cease violating fundamental workers' rights. According to the ILO press release, the procedure has been used only on ten occasions in the entire history of the organization. Although the ILO has no direct means of enforcing its decisions, Sir Leroy Trotman, chairman of the ILO Workers' Group, told Reuters that the ILO may seek to act through the EU to have EU trade privileges withdrawn. (ILO, Reuters, November 20)

ICFTU WELCOMES ILO DECISION

The International Confederation of Free Trade Unions (ICFTU), an umbrella association representing 158 million workers worldwide, has welcomed the ILO decision to launch a Commission of Enquiry into ongoing violations of workers' rights in Belarus. Guy Ryder, ICFTU General Secretary, said that the decision will "throw the international spotlight squarely onto the ferociously anti-union policies of the Belarus regime, which has one of the worst records of any government for abusing international labor standards." He believes that the decision will have "enormous significance for the

campaign to put an end to repression of workers and their union representatives by the regime.”

The ICFTU statement pointed out that over the course of several years, the Lukashenko administration has carried out a union-busting crusade involving imprisonment of trade union leaders, intimidation and dismissal of workers and other gross violations of freedom of association. Referring to the December 2001, government-inspired removal of Vladimir Goncharik, opposition presidential candidate in the 2001 poll, as chairman of the Federation of Trade Unions of Belarus (FTUB), the ICFTU statement accused the Lukashenko regime of “taking over” the country’s largest national trade union confederation. It also mentioned the recent administrative imprisonment of Alexander Yaroshuk and Alexander Bukhvostov, independent union leaders, as well the decision by the regime to halt ILO technical assistance projects in the country (see Belarus Update, Vol. 6, Nos. 3 - 5).

The ICFTU statement stressed that Belarusian exports to the European Union, which amounts to hundreds of millions of dollars, benefits from preferential trade arrangements with the EU under Generalized System of Preferences (GSP) arrangements. The ICFTU joined the European Trade Union Confederation in calling on the EU to open an investigation into these preferences, in order to place further pressure on the regime to respect international labor standards. (ICFTU, November 20)

-- BROTHER SLAVS --

LUKASHENKO SUPPORTS SLAVIC MOVEMENT AND COMMUNISTS

On November 24, Alexander Lukashenko met with Sergei Kostyan, head of the Belarusian Slavic Committee at the Belarusian Parliament’s House of Representatives, and Valery Zakharchenko, Secretary General of the pro-government Communist Party of Belarus, reported BELTA. They discussed the Slavic movement in Belarus and preparation for a World Slavic Festival to be held in July 2005 in Minsk. According to BELTA, Zakharchenko “reported” [sic!] to Lukashenko, who used to be a member of the Communist Party of the Soviet Union, about the forthcoming congress of the Communist Party of Belarus and the 85th anniversary of the establishment of the Belarusian Soviet Socialist Republic. (BELTA, November 24)

-- AT HOME IN BELARUS --

GOVERNMENT: NO ILLICIT ARM SALES

On November 20, Vasily Pavlov, head of the Belarusian Foreign Ministry’s export control division, said that the Ministry will soon make available the 2002-2003 national report on the control of arms and military exports, Interfax reported. According to

Pavlov, most of Belarus's military exports in 2002-2003 were to Iran, Cote d'Ivoire, Sudan and Algeria. Tanks, armored personnel carriers and large-caliber artillery systems were the main articles exported. The report, to be published on the Ministry's website, denies press reports that Belarus allegedly exports arms to such countries as Iraq, Pavlov said. (Interfax, November 21)

TWO YEARS LATER DEFENDANT GETS TRIAL

On November 20, the prosecution concluded its arguments in the case against Mikhail Leonov, former director general of the Minsk Tractor Factory (MTZ). Leonov was arrested on January 8, 2002, on corruption charges and has been in pretrial detention ever since (see Belarus Update, Vol. 5, Nos. 2-4, 9, 16). Prosecutor Oleg Shandarovich asked the court to sentence Leonov to 12 years of imprisonment with confiscation of property and to ban him from holding managerial positions for another five years, RFE/RL's Belarusian Service reported.

On February 26, 2002, the authorities accused Nikolai Shalimov, Leonov's defense attorney, of passing letters from Leonov to his deputies. The authorities alleged the letters instructed Leonov's deputies what to say in court, in order to secure his alibi. As a result, the defense attorney was dismissed from the case. Shalimov denied all allegations. Leonov believed the dismissal was another attempt by the authorities to exert pressure on him. Leonov is charged with abuse of power (Art. 166 of the 1960 Penal Code); criminal negligence causing damage to the state budget of at least US \$4 million (Art. 428 of the 1999 Penal Code), and large-scale bribery (Art. 430 of the 1999 Penal Code). (RFE/RL, November 20)

-- ELECTION 2004 --

NEW PARTY EMERGES IN BELARUS

A new political party called the Party of Freedom and Progress (PFP) held its founding convention in Minsk on November 22, Belapan reported. Vladimir Navasyad, deputy of the Belarusian Parliament's House of Representatives, was unanimously elected the party's chair. The PFP charter defines the organization as a liberal political party which aims to promote democratic and liberal values, foster democratic reforms, develop civil society and local self-government, and further the establishment of the rule of law. Navasyad said it is too early to say whether the party will be in opposition or will seek to establish constructive cooperation with the government. (Belapan, November 22)

-- INTERNATIONAL NEWS --

LEADERS OF EUROPEAN COALITION FREE BELARUS VISIT GERMANY

As members of the recently formed European Coalition Free Belarus, Nikolai Statkevich, chair of Narodnaya Hramada, the Belarusian Social Democratic party, and Andrei Sannikov, international coordinator of the national civic movement Charter 97, visited Germany on November 16-19, Charter 97 reported. They were invited by the ruling Social Democratic party of Germany. At the meeting with Gerhard Schroeder, the Federal Chancellor welcomed the creation of the Coalition and confirmed that he was following the situation in Belarus closely. (Charter 97, November 20)

-- NOTABLE QUOTES --

“My heart still cannot fully accept the idea of State-Church separation. Church plays such a pivotal role in our country, it glues our society together,” Alexander Lukashenko. (www.president.gov.by, visited November 17)

-- CALENDAR OF EVENTS --

November 26-27 - International Conference on Prison Reform in Minsk

The Belarus Update is a weekly news bulletin of the Belarus Human Rights Support Project of the International League for Human Rights, www.ilhr.org. The League, now in its 62nd year, is a New York-based human rights NGO in consultative status with the United Nations, the Council of Europe, and the International Labor Organization. Visit www.belarusupdate.org for back issues, analysis, and links to news sites and NGOs in Belarus. Letters to the Editor: vcole@ilhr.org, subscription services: otarasov@ilhr.org

The Belarus project was established to support Belarusian citizens in making their case for the protection of civil society before the international community regarding Alexander Lukashenko's wholesale assault on human rights and the rule of law in Belarus.
