

# (In)famous Belarusian Justice



Last week, two men were sentenced to death in Hrodna, Belarus. The previously convicted men have murdered three during an armed robbery. They have 10 days to file an appeal, which may extend their lives, if only by a short period, and probably bring them into the full glare of publicity. While their crime is severe, it is hardly uncommon. So the media attention they will get is all due to the gravity of their sentence.

Belarus is the only country in Europe to practice capital punishment. Passing death sentences is what keeps the Belarusian Justice Ministry on the front pages, and the ministry excels at making headlines no less than the Belarusian leader. To maintain its nonpareil reputation, the Belarusian Justice Ministry has to annually resort to capital punishment, bravely shouldering the criticism of the international community. Unfortunately, publicity is not the only effect of Belarus' insistence on retaining the death penalty. Capital punishment has kept Belarus out of the Council of Europe and leads to the violation of its commitments as a member of the Organization for Security and Co-operation in Europe.

Belarus carries out executions in secrecy: the prisoners are informed of the execution only minutes before they are shot; prisoners' families are not notified about the execution, given the bodies after the execution, or told where the executed were buried. Statistics on execution are also kept secret, but human rights activists estimate more than 400 have been shot since 1991. Just this March, two men were secretly [executed](#) despite the fact that their applications were still being reviewed by the UN Human Rights Committee. Alyaksandr Lukashenka's November 2009 promise to launch an information campaign on the abolition of death penalty has not yet been

fulfilled.

But the death penalty is not the only trick that makes the Justice Ministry look famous and powerful. In March—for once taking up someone anything but defenseless—the Belarusian Justice Ministry filed a suit with the CIS Economic Court, arguing Russia’s customs duties on oil supplied to Belarus was illegal. More often, however, the Ministry targets those who are weaker.

Time and again, the Belarusian Justice Ministry issues warnings of office closure to opposition parties and [harasses unions of minorities](#) and rights activists. It is even more fond of sentencing these activists to jail terms.

On May 6, the Belarusian Supreme Court sentenced four opposition activists to up to five years in prison on arms possession charges. The lucky four were acquitted of charges of forming a criminal group and plotting a terrorist attack for the lack of evidence. Good for them, for terrorism is one of the “grave crimes” that warrant the death penalty according to Article 289, Part 3 of the Belarusian Constitution. Those who disagree with the justice a-la Belarus undergo intense persuasion: the six protesting the five-year sentence in Minsk were detained.

Reacting to the sentence, on May 13 the United States issued a statement on the conviction that stressed the importance of observing due process. The [statement](#) reads:

*We share the concerns of our EU colleagues, as expressed in the May 10 statement by the representative of the EU Presidency in Minsk, regarding procedural flaws and apparent political motivations in the case.*

*In this and other cases, we have long stressed to the Belarusian authorities the importance of observing due process. We had hoped that the Belarusian authorities would*

*take this opportunity to demonstrate a strengthening of due process and the independence of the judiciary. Unfortunately, there are reasons to question the conduct of this trial with respect to the civil rights of Mr. Awtukovich and the three others.*

*As we have noted before, improvement in the relationship of the United States with Belarus can come only when the Belarusian authorities show a greater respect for the basic civil and human rights of the Belarusian people.*