

Belarus in Amnesty International's Report 2010

Bellow we provide excerpts from the chapter.

***Background** European institutions continued their engagement with Belarus. In June, the Parliamentary Assembly of the Council of Europe voted to restore Special Guest Status to the Belarusian parliament on several conditions. Besides a moratorium on the death penalty and registration of the human rights organization Nasha Viasna (Our Spring), terms included the immediate and unconditional lifting of sentences of restricted freedom imposed on several young people for their participation in a peaceful demonstration in January 2008. However, these terms were not met by the end of the year. In November, the EU Council reviewed the decision made in October 2008 and decided not to end the travel restrictions on senior Belarus officials, but to extend the suspension until October 2010. The majority of printed and electronic media remained under state control, and the state press distribution system maintained its monopoly. Two independent newspapers – Narodnaya Volya (People's Will) and Nasha Niva (Our Field) – were allowed once again to use the state press distribution system. **Death penalty** On 29 June, the House of Representatives set up a working group to draft proposals on imposing a moratorium on the death penalty. However, Belarus continued to hand down death sentences despite international pressure. Two men were sentenced to death for murder in the course of the year. On 29 June, Brest regional court sentenced 30-year-old Vasily Yuzepchuk to death; and on 22 July, Minsk regional court sentenced 25-year-old Andrei Zhuk to death. Both death sentences were upheld on appeal. – In January, Vasily Yuzepchuk and another unnamed man were detained and charged with first-degree murder, following the murder of six elderly women between November 2007 and January*

2008. On 29 June, both men were found guilty by Brest regional court. The second man, convicted as his accomplice, was sentenced to life imprisonment. Vasily Yuzepchuk was sentenced to death. On 2 October, the Supreme Court turned down his appeal and he subsequently applied for clemency. Vasily Yuzepchuk, originally from Ukraine, belongs to the marginalized Roma ethnic group, and may have an intellectual disability. His lawyer stated that the investigation and trial were fundamentally flawed and that Vasily Yuzepchuk had been beaten to force him to confess. On 12 October, the UN Human Rights Committee called on the Belarusian government not to execute Vasily Yuzepchuk until it had considered the case. **Freedom of assembly** The authorities continued to violate the right to freedom of assembly by not permitting demonstrations and public actions in accordance with the very restrictive Law on Public Events. There were allegations that excessive force was used to disperse non-violent demonstrations, and peaceful demonstrators were detained. – On 12 February, an application by a group of 20 people to hold a small public awareness action about lesbian, gay, bisexual and transgender issues was refused by the Gomel city administration. They said that the application did not include copies of contracts with the local police department, the health clinic and the waste disposal services to cover the expenses of ensuring public order, safety and for cleaning up after the action. Gomel District Court held that the application had been refused in accordance with the Law on Public Events and turned down the appeal. – Peaceful legal demonstrations to mark the anniversary of the disappearance of leading opposition figures Viktor Hanchar and Anatoly Krasouski, held on the 16th day of every month, were regularly dispersed using force. Viktor Hanchar and Yury Zakharenko, as well as businessman Anatoly Krasouski and journalist Dmitry Zavadsky, were subjected to enforced disappearances in 1999 and 2000. On 16 September, police officers in Minsk allegedly used excessive force to disperse demonstrators and detained 31 people for over three hours

before releasing them without charge. The demonstrators reported that they had been standing silently holding portraits of the disappeared when approximately 40 men in plain clothes approached and started to beat them, closely followed by riot police who detained them and took them by bus to Tsentralny District police department. According to one demonstrator, police officers did not explain the reason for their arrest and some of the detainees were beaten in the bus. At the police station they were reportedly made to stand facing the wall for three hours and subjected to verbal abuse, threats and beating. On 17 September, the Presidency of the European Union expressed concern about the crackdown on peaceful demonstrations in Minsk the previous day and urged the Belarusian authorities to refrain from excessive use of force in dealing with peaceful demonstrations.

Prisoners of conscience Several people continued to be held under "restricted freedom" following participation in a peaceful protest in January 2008. The conditions of "restricted freedom" are so severe that they amount to house arrest. Furthermore, although the sentence of "restricted freedom" is imposed by a judge, the details of the restrictions can be changed arbitrarily by the police officer in charge of the case without any possibility to appeal. This makes it very difficult for those convicted to comply with the conditions of their sentence. – On 7 July, Artsyom Dubski was sentenced to one year in prison by the Asipovichy district court in the Mahilyow region, and on 15 June Maxim Dashuk was sentenced to one year and three months of further "restricted freedom" by the Maskouski district court in Minsk. Both were convicted for violating the terms of earlier sentences imposed for their participation in the January 2008 protest and Amnesty International considers them to be prisoners of conscience. These young men had been among 11 people who were given sentences of up to two years of "restricted freedom" for "taking part in or organizing actions that gravely disturb public order". As of November 2009, five out of the original 11 had received amnesties, one

had had his restrictions reduced, and three remained abroad.

Human rights defenders Civil society organizations faced many obstacles in registering with the authorities before being permitted to operate. – On 26 January, the human rights organization Nasha Viasna (previously known as Viasna), applied for registration and was refused for a third time. The Ministry of Justice rejected the application on several grounds: previous convictions of the group's members on administrative charges; inaccuracies in the list of founders; the failure to describe the mechanism for electing the Chair and the Secretary; the absence of the organization's name on one document; and that the headquarters were too cramped. On 22 March, the Supreme Court upheld the decision of the Ministry of Justice after an appeal by the founders on 19 March. On 25 April, the founders applied again and on 28 May, registration was again refused by the Ministry of Justice. In addition to the reasons cited in previous refusals the Ministry of Justice claimed that the second part of the organization's name was not in line with its statute. On 16 June 2009, the founders of Nasha Viasna appealed against this decision, but refusal of registration was again upheld by the Supreme Court on 12 August.

Violence against women On 21 January, a new Law on Crime Prevention came into effect which for the first time specifically referred to domestic violence and called on state bodies including the Ministry of Internal Affairs to investigate all cases of domestic violence and to prosecute the perpetrators. However, adequate structures and resources to respond to violence against women were lacking. At the end of the year only two shelters for victims of domestic violence were financed from a combination of state and non-governmental funding. VB

Minsk Authorities Ban Slavic Gay Pride scheduled for May 15



According to [GayRussia*](#), the city authorities have banned this weekend's Slavic Gay Pride March, using an obscure law that says public events are not allowed near underground pedestrian crossings and metro stations. On May 8, organisers received notification of the ban signed by the deputy head of Minsk City Executive Committee Mikhail Titenkov, who is notorious for banning all public events of LGBT community in Minsk. And the co-organisers described the reason for the ban "absurd".

The letter from the Minsk authorities cites Article 9 of the Law of Belarus Republic on the staging of public events which says that "public events are not allowed at the distance of less than 200 metres from underground pedestrian crossings and metro stations".

Mr. Titenkov stressed that "due to the above, Minsk City Executive Committee does not allow the conduct on 15 May 2010 from 3 to 5 pm of a street march from the square in front of Belarusian State Philharmonic via Prospect Nezavisimosti to the square in front of the National Academy of Sciences of Belarus." "The decision of the authorities to the ban of the march will be appealed in court," Sergei Androsenko, a co-organiser of Slavic Pride, said this afternoon. "We are ready to take this case up to the United Nations Human Rights Committee." "Apart from that we are not going to surrender and are still planning to go on the streets in order to attract attention of the society and authorities to the existing discrimination of homosexual people," he added defiantly.

"Currently, Slavic Pride Organizing Committee is considering two options for the event on 15 May – to protest either in front of the Minsk City Executive Committee or next to the Presidential Administration. The final decision will be taken on the eve of the event," Mr Androsenko concluded. Russian co-organiser of Slavic Gay Pride, Nikolai Alekseev, said today that "the decision of Minsk authorities about the ban of our event is absurd. "There have been many marches and parades in the past using the same route. And the proximity of underground pedestrian crossings and metro stations was not an obstacle for allowing such events," he pointed out. "The application for the march was sent to the authorities on March 4.

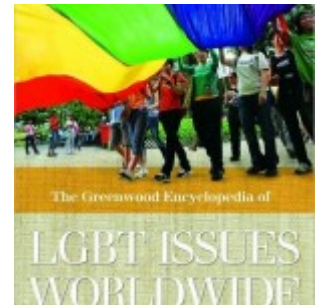
The organisers clearly said that they are ready to change the place and time of the event. The authorities had enough time to give their reply earlier in order to find a solution for the conduct of this action in a different location." Mr. Androsenko added: "The Slavic Pride Organizing Committee appeals to the international community with the request to support the forthcoming Slavic Pride and condemn the decision of Belarusian authorities to ban the event as it was done in relation to Baltic Pride in Vilnius". Slavic Pride movement was founded in autumn 2008 in Minsk.

The first Pride took place in Moscow on May 16 last year and coincided with Eurovision Song Contest. Moscow authorities banned the event and dozens of activists were arrested by militia. The second Slavic Pride will take place in Minsk on May 15. The decision about the same event in 2011 will be taken by the Organizing Committee shortly.

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Belarus in the Greenwood Encyclopedia of LGBT Issues Worldwide

The chapter on Belarus was included in the Greenwood Encyclopedia of LGBT Issues Worldwide published earlier this year. The three volumes account for more than 1300 pages of important and timely information. This set has an ambitious scope with the goal of offering the most up-to-date international overview of key issues in the lives of lesbian, gay, bisexual, and transgender individuals. Eighty-two countries are represented. Belarus chapter was written by Viachaslau Bortnik, Belarusian human rights defender and LGBT activist.



Bellow we provide excerpts from the chapter.

Overview of LGBT Issues in Belarus

While homosexual activity is no longer considered a crime in Belarus, and the age of consent for heterosexual and homosexual relations is equal, LGBT rights still remains a marginal topic in public discourse and does not play any role in national and or local politics.

Homophobia remains widespread throughout the country country, and instances of harassment and discrimination appear occur regularly. Many Belarusians believe consider homosexuality to be a disease, and some see it as a sin, but few consider it a legitimate sexual orientation.

President Lukashenka and members of Parliament parliament often make negative statements about homosexuals, which strengthens strengthening the homophobia in society.

Homosexuality is frowned upon in Belarusian society and condemned by the church. Belarusian society is conservative in this respect, with homosexuals generally being socially stigmatized. Gay life in Belarus remains largely underground, and only a few homosexuals openly declare their sexual orientation.

The government-controlled media often attempts to smear the domestic political opposition by associating it with homosexuality. This strategy is also used against foreign countries; in one two year period, three foreign diplomats were expelled from Belarus on claims of homosexuality. Homosexuality is often seen by the government as allied with Western paths to development.

While the Belarusian Constitution constitution says it forbids discrimination, this prohibition has not extended to discrimination based on sexual orientation. Belarusian law does not provide protection for LGBT people against discrimination with regard to employment, housing, or family relationships. Although many people live together outside of marriage , domestic partnership and cohabitation is are not recognized by the government and LGBT Belarusian couples do not have any of the rights as of heterosexual couples. Gay men are also not allowed to serve in the armed forces.

Although hate crimes against homosexuals are not uncommon, homophobia is not recognized as an independent motive for crimes. LGBT people continue to face harassment and discrimination by the general population; and they cannot count on police protection protection, as the police often refuse to protect the rights of LGBT citizens. There is evidence that LGBT people are targeted for violence; in 2001–2002, five LGBT people were tortured and killed in Minsk. Other countries have granted asylum to Belarusians who claimed discrimination based on sexual orientation.

There is no official recognition of LGBT organizations in

Belarus Belarus, although many groups continue to operate without registering, which makes them illegal. These groups face difficulties such as armed militia storming into their meetings to threaten and arrest their members, members; LGBT individuals and groups are also the target of hate crimes. Recent changes to Belarus's Criminal Code have given the authorities even more latitude to treat the activities of LGBT groups as illegal attempts to discredit or bring harm to Belarus.

Outlook for the 21st Century

The Belarusian LGBT movement is one of the youngest in Europe. It operates in one of the most repressive political environments, nearly in full international isolation, without public support inside the country. Attempts of at consolidation undertaken by LGBT groups in 2007 give vital hope for a grooving, growing developing movement to benefit the Belarusian LGBT community as a whole. The most important step in the near future is seen to be a public campaign to change the legislation affecting the relationship between NGOs and the government government; that this will allow LGBT groups to work openly and more effectively. The second step is the promotion of antidiscrimination legislation. The Belarusian LGBT movement can only achieve these serious goals by working in alliance with other organizations that fight for human rights, women's rights rights, and other progressive causes in the country.

Undoubtedly, gradual change in the political regime and future integration within the European Union will play an important role in the improvement of the situation of LGBT people in Belarus.

The Greenwood Encyclopedia of LGBT Issues Worldwide/ Edited by Chuck Stewart, 2010.