

18 May 2020

Belarus: judicial harassment of human rights defenders in the lead-up to presidential elections

Between late April and early May 2020, several human rights defenders in Belarus have been arbitrarily detained and subjected to judicial harassment for participating in peaceful assemblies and criticising government policies. This wave of prosecution of human rights defenders is taking place against the backdrop of the campaign for the presidential election, due to take place on 9 August 2020.

Since early May, approximately 120 people, including several human rights defenders, have been detained, fined or sentenced to up to 25 days detention on charges of violating the procedure for holding a protest, under Article 23.34 of the Code of Administrative Offences. The arrests are related to three protest movements, namely weekly protests against a battery factory in Brest; the Youth Bloc rally in Minsk against the decision to hold the annual Victory Day parade on 9 May in the context of COVID-19; and numerous gatherings in protest against the arrest of well-known YouTube vlogger Syarhei Tikhanovsky. Syarhei Tsikhanouski had been travelling around the country in recent months, interviewing people on the streets for his YouTube channel "A Country for Life", on which he criticises government policies. After he was arrested on 6 May 2020, it became known that the Syarhei Tsikhanouski had intentions to run in the presidential election. Furthermore, human rights defenders and journalists who observed or covered the demonstrations were also targeted. Several other human rights defenders who criticised the state's environmental policy or commented on COVID19 have also been targeted and may face criminal charges. Five of the human rights defenders arrested are from the leading human rights organization in Belarus, Human Rights Centre Viasna (HRC Viasna).

Aliaksandr Burakou is a human rights defender, a member of HRC Viasna and a journalist for mspring.online, a website that covers human rights violations in Belarus. On 8 May 2020, Aliaksandr Burakou was detained in Mogilev in connection with a protest held on 6 May against the detention of Syarhei Tsikhanouski. He was detained for 72 hours, the first seven hours of which he spent in a cold, windowless room no bigger than 2.5m by 2.5m. On 11 May he appeared before the Leninsky District Court where he was sentenced to 10 days' detention on charges of violating the procedure for organising and holding a protest (Article 23.34 of the Code of Administrative Offences).

Aliaksandr Burakou's son, **Ales Burakou**, is a human rights defender, journalist and also a member of HRC Viasna. On 15 May 2020 Ales Burakou was detained at his apartment and brought to the Leninsky District Department of Internal Affairs in the city of Mogilev. He was sentenced on the same day to 10 days of administrative detention

for alleged participation in an unauthorized mass event on 6 May.

On 10 May 2020, human rights defenders **Raman Kisliak**, member of For Freedom Movement board, and **Uladzimir Vialichkin**, member of HRC Viasna, were arbitrarily detained when monitoring a protest against the construction of a battery plant in Brest. The protests, referred to as “Pigeons feeding”, have been taking place in the city on Sundays since March 2018. Upon their detention, the whereabouts of the two human rights defenders remained unknown and their families and colleagues were not able to contact them. It eventually transpired that they had initially been taken to Kobrinsky District Department of Internal Affairs, approximately 40 km from Brest, before being transferred on 12 May to the temporary detention centre of the Leninsky District Department of the Interior of the city of Brest.

Raman Kisliak was initially detained for monitoring the “Pigeon feeding” protests, and was then charged with participating in peaceful protests on 12 April and 3 May. The hearing for his case has been rescheduled twice, due to the motion put forward by his lawyer that videos which show that the human rights defender was merely monitoring the protest and not participating in it, should be included in the case file. On 14 May he was released pending trial. Raman Kisliak’s hearing scheduled for 19 May was rescheduled as he is currently unwell, and will take place when he has recovered.

On 12 May 2020, Uladzimir Vialichkin appeared before the Leninsky district court on the charge of participating in an unlawful mass event on 12 April 2020. The human rights defender was fined the equivalent of 500 euro and was immediately re-arrested in the courtroom following his hearing. He was held in custody for an additional two days and on 15 May 2020, appeared before the court again for participation in an “unauthorized” mass event on 3 May. He was found guilty, charged with a fine equivalent to approximately 300 euro and was released from detention.

Alena Masliukova is an environmental rights defender and a member of HRC Viasna in Svetlogorsk. She has been particularly engaged in activities against the construction of a pulp bleaching factory in Svetlogorsk on account of its negative environmental impact. On 23 April 2020, Alena Masliukova was questioned as part of a criminal investigation as a result of a complaint filed against her under Article 189 of the Criminal Code by a woman named Galina Zobova. Her phone and laptop were also seized as part of the investigation. The complaint a comment that the human rights defender made on social media on 16 February 2020 and that included a video of President Lukashenko visiting the Svetlogorsk pulp bleaching factory, where Galina Zobova works. In the post, Alena Masliukova criticised the President and the authorities for allegedly disseminating false and inaccurate information regarding the factory’s purpose. She also criticised Galina Zobova, who is shown in the video and refers to environmental activists as “yellers” in her question to the President. Following the seizure of her phone and laptop, on 24 April 2020, the environmental rights defender filed a complaint on the unlawful seizure of her phone and laptop with the Svetlogorsk District Prosecutor’s Office.

Andrei Miadzvedzeu is a journalist and a member of HRC Viasna in Rechytsa. On 7 May 2020, he was questioned in connection with a critical commentary he had written

and posted on the social media network V Kontakte, in response to an article published in the local newspaper Dniprovet. Despite the fact that no complaint was made by the editor of the newspaper, which is a legal prerequisite for investigation, Andrei Miadzvedzeu is currently under investigation and may face criminal charges under Article 189 (Insult) of the Criminal Code.

Front Line Defenders is concerned at the recent targeting of human rights defenders, environmental rights defenders, journalists and those criticising government policies in Belarus. It is of particular concern that the increased targeting coincides with the announcement of the presidential election and that those protesting the arrest of a potential opposition candidate have in turn been detained. The targeting of human rights defenders will have a chilling effect on civil society and affect the important role of human rights defenders in ensuring independent monitoring during the election campaign and election day.

Front Line Defenders urges the authorities in Belarus to immediately release Aliaksandr Burakou and Ales Burakou, and carry out an immediate thorough and impartial investigation into the arbitrary detention of the human rights defenders. It urges the authorities to drop all charges against the six human rights defenders listed above, as it believes that they are solely motivated by their legitimate and peaceful human rights work. It also calls on the authorities to cease the harassment of HRC Viasna, as it is believed to be motivated by the organisation's peaceful human rights activities. Front Line Defenders urges the authorities to guarantee in all circumstances that all human rights defenders in Belarus are able to carry out their legitimate human rights activities without fear of reprisals and free of all restrictions including judicial harassment.