



Refugee Documentation Centre (Ireland)
LEGAL AID BOARD

Belarus - Researched and compiled by the Refugee Documentation Centre of Ireland on Tuesday 30 & Wednesday 31 October 2012

Information on the aftermath of the announcement of the election 2010 results in Central Square Minsk including:

Arrests, detentions et al;

Information on arrests after a demonstration in Minsk in 2011

A report issued by *Amnesty International* in September 2011 states:

“A mainly peaceful demonstration after the presidential elections on 19 December 2010 was violently dispersed by riot police and over 700 people were charged with administrative offences and detained for 10 to 15 days” (*Amnesty International* (5 September 2011) *The human rights situation in Belarus: Written statement to the 18th session of the United Nations Human Rights Council*, p.1).

A *Council of Europe* report issued in October 2011 points out that:

“It has been estimated that, in the immediate aftermath of 19 December 2010, over 600 people were subjected to brief summary trials and sentenced to fines or to administrative detention lasting from 5 to 15 days for participation in an illegal demonstration” (*Council of Europe* (7 October 2011) *Report on the detentions, prosecutions and convictions of members of the opposition in Belarus in the aftermath of 19 December 2010 presidential elections*).

In February 2011 *Human Rights Watch* notes that:

“Belarusian authorities arbitrarily detained, mistreated, and summarily sentenced hundreds of people arrested in the aftermath of the December 19, 2010 demonstration protesting the election outcome, Human Rights Watch said today” (*Human Rights Watch* (9 February 2011) *Belarus: Survey Shows Massive Abuses of Protesters*).

This report also states:

“At least 639 people, according to official statistics, were arrested, and human rights activists believe that the actual number could be significantly higher. Hundreds served up to 15 days in administrative detention. In a report released on February 9, 2011, a coalition of the Legal Transformation Center, a Belarusian nongovernmental organization, and the Independent Observation Mission, a group of nongovernmental activists from several countries, said that the majority of the detainees suffered serious abuses during their arrest, trial, and detention. The group collected and analyzed 205 questionnaires from recently released detainees, all of whom served from 10 to 15 days in administrative detention. Testimony collected by Human Rights Watch in Belarus confirms these conclusions” (*ibid*).

In May 2011 *Amnesty International* notes:

“Amnesty International has today condemned the conviction of four Belarusian prisoners of conscience, including former presidential candidate Andrei Sannikau,

over their involvement in post-election protests. A court in Minsk sentenced Andrei Sannikau, who has complained of torture and other ill-treatment during his detention, to five years' imprisonment on Saturday for his role in protests that followed presidential elections in December 2010" (Amnesty International (16 May 2011) *Four convicted over Belarus protests*).

This report also states"

"Following the Belarusian presidential election on 19 December, more than 30,000 people gathered in the centre of the capital Minsk to protest against election rigging and show support for opposition candidates. When a violent incident broke out at the doors of Government House, riot police moved in to disperse the crowds. Over 700 people were detained, the overwhelming majority of whom had been peaceful participants and bystanders. Amnesty International has documented the cases of eight prisoners of conscience detained by the Belarusian authorities over the demonstration who have been sentenced to terms of imprisonment" (ibid).

A report published in February 2011 by *Amnesty International* notes:

"On 20 December it was announced that President Alyaksandr Lukashenka had been reelected for his fourth term of office as President of Belarus by 79.7 percent of the votes... The elections have been followed by a comprehensive clamp down on the opposition. Hundreds of protesters were detained and many beaten by riot police during the violent dispersal of a demonstration on election night. Searches, interrogations and detentions of opposition activists and human rights defenders have continued since, under the pretext of a criminal investigation" (Amnesty International (2 February 2011) *Security, Peace And Order"? Violations In The Wake Of Elections In Belarus*, p.4).

This publication also states:

"In the run up to the elections, as fears mounted that they would not be conducted fairly, many of the opposition candidates called on their supporters to gather in October Square in the centre of Minsk at 8pm after voting stations closed on 19 December. Up to 30,000 demonstrators gathered in October Square and then marched peacefully and good naturedly down the main street to Government House, the seat of parliament and of the Central Election Commission, unhindered by law enforcement officers, who stopped traffic to allow the demonstrators to pass. At around 9pm, the crowd gathered outside Government House and opposition leaders gave speeches from the Lenin statue at some distance from the building. The crowd were standing with their backs to Government House listening peacefully to speeches by the opposition leaders. At around 10pm, a group of about 20 masked young men standing by the doors of Government House, armed with batons, called on the crowd to storm the building and started to break windows. Most eyewitnesses that Amnesty International spoke to said that it was hard to understand what was taking place at the back of the crowd, nearest to these events. Eyewitnesses who were close to the building said that they did not recognize any of the people engaged in breaking down the doors. It was some time before the news of what was happening travelled to the front of the crowd and reached the speakers. Eye witnesses report that law enforcement officers stood by and allowed the men to continue breaking the doors and windows for some minutes without attempting to stop them. Shortly after the attempt to break into Government House, riot police moved in and cleared the demonstrators from the square, encountering virtually no resistance. The process of clearing the square took about 20 minutes. Video footage

of the events shows that most demonstrators simply fled the square. Nonetheless, over 700 people, most of them peaceful participants and bystanders, were detained. Most of them were charged with the administrative offence of violating the regulations for public gatherings and were sentenced to 10 – 15 days' imprisonment. However, to date 37 people including six of the seven opposition presidential candidates, many leading journalists and opposition activists have been charged with the criminal offence of "organizing mass disorder" and could face up to 15 years in prison" (ibid, pp.4-5).

It is also noted in this report that:

"On the night of 19 December over 700 people were detained and charged with the administrative offence of violating the rules of organizing and holding mass events" (ibid, p.6).

This report also states:

"From the information available to Amnesty International it seems that riot police used force indiscriminately against unarmed peaceful demonstrators and even passersby in violation of international standards and Belarusian legislation" (ibid, p.8).

This report also points out:

"The reaction of the authorities, however, has been both brutal and chilling. Hundreds of protesters were beaten, arbitrarily arrested, and summarily sentenced" (ibid, p.15).

A publication in March 2011 by *Human Rights Watch* notes:

"As many as 30,000 people took to the streets of the capital Minsk that evening to peacefully protest what they feared would be yet another stolen election. When Lukashenka's landslide victory was declared, a few dozen masked people started breaking windows in the main government building, which overlooks Independence Square. Police and security forces moved in and beat everyone within reach—most of them peaceful protesters—kicking those who fell, and chasing and grabbing people, including bystanders, in adjacent streets" (Human Rights Watch (14 March 2011) *Shattering Hopes, Post-Election Crackdown in Belarus*, p.1).

This report also states:

"On December 19 and in the days that followed, police arrested hundreds of people and physically abused most of those they arrested by punching, pushing, kicking, and hitting them with batons. During the next two weeks, administrative courts sentenced at least 725 people to between 10 and 15 days "administrative detention"— or misdemeanor detention — for participating in an unsanctioned gathering" (ibid, p.1).

The report also notes:

"On the night of December 19, police and security forces arrested hundreds of people on both administrative and criminal charges...Waves of arrests continued for days following the unrest, when state security forces turned up at people's offices and homes, summarily arresting anyone suspected of participating in the protest" (ibid, p.10).

A document released in 2011 by *The Committee on International Control over the Human Rights Situation in Belarus* states that:

“According to official statistics at least 639 people were arrested at, or in the immediate aftermath, of the demonstration on 19 December 2010⁴², with many of these people being subjected to brief trials before being sentenced to fines or up to 15 days of administrative detention. Many of those who were detained stated that they had suffered violence and other forms of poor treatment during their initial detention” (The Committee on International Control over the Human Rights Situation in Belarus (2011) *Final Report by the Special Rapporteur on the events of 19 December 2010 of the Committee on International Control over the Situation with Human Rights in Belarus*, p.19).

A report published in January 2012 by the *Council of Europe* states:

“Following the wave of repression in the aftermath of the presidential election, the situation of human rights and civil and political liberties has deteriorated dramatically in Belarus. Hundreds of activists across Belarus were detained, beaten up and intimidated. Dozens of them, including several presidential candidates, were sentenced to lengthy terms in high-security prisons” (Council of Europe (9 January 2012) *The situation in Belarus*, p.7).

This report also states:

“A series of so-called “silent” protests which took place throughout the summer of 2011 in approximately 50 towns in Belarus were met with considerable resistance from the authorities, who responded by detaining citizens suspected of being engaged in the protest and sentenced hundreds of them to up to 15 days in prison. On 3 July 2011, Belarus Independence Day, a peaceful demonstration was brutally dispersed in Minsk and other cities, with hundreds of protesters being beaten and detained merely for clapping hands” (ibid, p.11).

Radio Free Europe/Radio Liberty in December 2011 notes:

“Belarusian police have detained dozens of people who took part in a candle-lit protest to mark the first anniversary of the crackdown on mass protests against President Alyaksandr Lukashenka’s reelection. Police in Minsk said 32 people faced court hearings on charges such as taking part in illegal protests and hooliganism” (Radio Free Europe/Radio Liberty (20 December 2011) *Dozens Held In Belarus Over Protest*).

A document published by *Radio Free Europe/Radio Liberty* in July 2011 notes:

“Several hundred protesters gathered in the center of Minsk and walked around clapping hands. Plainclothes officers arrested up to 50 people. Like every Wednesday for the past nine weeks, hundreds of disgruntled Belarusian gathered across the country for so-called “silent protests” against authoritarian President Alyaksandr Lukashenka. And like on previous occasions, security forces violently dispersed the rallies and detained dozens of protesters. Some 200 people took part in the Minsk protest, clapping their hands and stomping their feet despite an official ban on such rallies” (Radio Free Europe/Radio Liberty (21 July 2011) *Belarusian Protesters Detained After Latest Weekly Protest*).

This report also states:

“Since they started nine weeks ago, more than 1,500 protesters have been detained and many have been sentenced to fines or to brief prison stays” (ibid).

Radio Free Europe/Radio Liberty in July 2011 states:

“Authorities in Belarus have detained dozens of people for taking part in antigovernment protests in Minsk and other cities” (Radio Free Europe/Radio Liberty (13 July 2011) *Belarus Detains Dozens Of Protesters*).

In July 2011 *Radio Free Europe/Radio Liberty* notes:

“At least 140 people have been sentenced to short terms in jail or fined for taking part in antigovernment protests in Belarus, the country’s rights activists say. The Minsk-based rights group Vyasna and other regional organizations say some 100 people were convicted in the capital and another 40 in other cities, including Brest, Homel, and Mahileu” (Radio Free Europe/Radio Liberty (5 July 2011) *Belarus Jails, Fines Scores After Antigovernment Protests*).

A report issued in July 2011 by *Human Rights Watch* points out that:

“On July 3, 2011, Belarusian police arrested about 340 people who participated in silent protests in the capital, Minsk, and several other Belarusian cities. Witnesses told Human Rights Watch that in Minsk riot police beat peaceful protesters and used teargas to disperse them. As of July 5, courts in at least 41 cases had issued fines or sentenced the people arrested to up to 15 days of administrative detention for “hooliganism.” The rest have apparently been charged and are on trial or awaiting trial” (Human Rights Watch (5 July 2011) *Belarus: Cease Violence Against Peaceful Protesters*).

In July 2011 *Radio Free Europe/Radio Liberty* states:

“Belarusian police have brutally dispersed antigovernment rallies across the country, firing tear gas and detaining dozens of protesters. Protesters gathered in Minsk and other Belarusian cities late on July 3 to voice their discontent with authoritarian President Alyaksandr Lukashenka by clapping their hands in unison” (Radio Free Europe/Radio Liberty (3 July 2011) *Belarus Police Stifle Protests On Independence Day*).

A report published in June 2011 by *Amnesty International* notes:

“Belarusian authorities must immediately and unconditionally release anyone being held merely for taking part in peaceful “silent” protests, Amnesty International said today after hundreds were arrested around the country yesterday. In the capital Minsk and other cities, police arrested more than 250 people yesterday after several thousand gathered without speaking and clapped their hands to express disapproval at President Alexander Lukashenko’s economic policies. Most were later released, but some face short administrative sentences or fines on charges of “minor hooliganism.” “ (Amnesty International (30 June 2011) *Belarus rounds up 'silent' protesters*).

This document also points out that:

“According to Viasna Human Rights Centre, more than 250 people were arrested throughout the country after yesterday’s protests, 160 of whom were in Minsk. Most have been released, but 30 have so far been charged with minor hooliganism, which entails short administrative sentences of 10 - 15 days or a fine...More than 460 people were detained after an earlier protest on 22 June. In Minsk, police detained 220 protesters, as well as several journalists, foreign nationals and a Swedish diplomat” (ibid).

In June 2011 *Radio Free Europe/Radio Liberty* notes:

“Belarusian police today detained dozens of people during an unauthorized antigovernment protest in Minsk. An RFE/RL correspondent on the scene said hundreds of people had gathered in the streets to participate in the demonstration. The Vesna rights group said police arrested more than 100 people. The Associated Press reported that police used violence against some of the protesters” (Radio Free Europe/Radio Liberty (29 June 2011) *Dozens Detained At Antigovernment Rally In Minsk*).

Radio Free Europe/Radio Liberty states:

“Belarus police have released most of the 200 people detained late on June 22 at a rally against President Alyaksandr Lukashenka in the capital Minsk. Riot police had earlier rounded up scores of people as about 1,000 turned out for the rally in response to opposition calls on the Internet” (Radio Free Europe/Radio Liberty (23 June 2011) *Belarusian Police Crack Down On Minsk Protest*).

A document issued in June 2011 by *Radio Free Europe/Radio Liberty* notes:

“Police in Belarus have used batons to disperse an opposition rally in the capital, Minsk, organized through social-networking websites, RFE/RL's Belarus Service reports. Hundreds of mostly young protesters who gathered across Minsk were chased by police officers, who also cordoned off a central square and adjacent streets” (Radio Free Europe/Radio Liberty (15 June 2011) *Belarusian Police Disperse Opposition Flash Mob*).

In June 2011 *Amnesty International* states:

“On 2 June, the Minsk municipal authorities introduced further restrictions on public gatherings in most of Minsk’s central squares and streets. On 15 June, hundreds of peaceful demonstrators were detained across the country as several thousands took to the streets in response to calls to protest issued on social network sites. There are reports that excessive force was used by law enforcement officials when dispersing protestors” (Amnesty International (17 June 2011) *Belarus: Six months after the Presidential elections clampdown on dissenting voices continues unabated*, p.3).

References

Amnesty International (5 September 2011) *The human rights situation in Belarus: Written statement to the 18th session of the United Nations Human Rights Council*
<http://www.amnesty.org/en/library/asset/EUR49/017/2011/en/c17cc1f6-e6b9-4eeb-959b-9152bdea3d11/eur490172011en.pdf>

Accessed Tuesday 30 October 2012

Amnesty International (30 June 2011) *Belarus rounds up 'silent' protesters*

<http://www.unhcr.org/refworld/country,,,,BLR.,4e534eaa2.0.html>

Accessed Wednesday 31 October 2012

Amnesty International (17 June 2011) *Belarus: Six months after the Presidential elections clampdown on dissenting voices continues unabated*

<http://www.amnesty.org/en/library/asset/EUR49/015/2011/en/2d0a20c7-a42e-493e-b9f4-62c5223d121e/eur490152011en.pdf>

Accessed Tuesday 30 October 2012

Amnesty International (16 May 2011) *Four convicted over Belarus protests*

<http://www.amnesty.org/en/news-and-updates/four-convicted-over-belarus-protests-2011-05-16>

Accessed Tuesday 30 October 2012

Amnesty International (2 February 2011) *Security, Peace And Order"? Violations In The Wake Of Elections In Belarus*

<http://www.amnesty.org/en/library/asset/EUR49/003/2011/en/0d876db1-5cfb-423b-ac4f-a9a516f5d203/eur490032011en.pdf>

Attachment not included due to IT limitations

Accessed Tuesday 30 October 2012

The Committee on International Control over the Human Rights Situation in Belarus (2011) *Final Report by the Special Rapporteur on the events of 19 December 2010 of the Committee on International Control over the Situation with Human Rights in Belarus*

http://belhelcom.org/sites/default/files/Final_HRights_Assessment_of_19-12-2010_in_Minsk-eng_final.pdf

Accessed Tuesday 30 October 2012

Council of Europe (9 January 2012) *The situation in Belarus*

<http://www.unhcr.org/refworld/pdfid/4fe9c3ac2.pdf>

Accessed Tuesday 30 October 2012

Council of Europe (7 October 2011) *Report on the detentions, prosecutions and convictions of members of the opposition in Belarus in the aftermath of 19 December 2010 presidential elections*

<http://www.ein.org.uk/print/members/country-report/report-detentions-prosecutions-and-convictions-members-opposition-belarus-aft>

This is a subscription database

Accessed Wednesday 31 October 2012

Human Rights Watch (5 July 2011) *Belarus: Cease Violence Against Peaceful Protesters*

<http://www.hrw.org/news/2011/07/05/belarus-cease-violence-against-peaceful-protesters>

Accessed Tuesday 30 October 2012

Human Rights Watch (14 March 2011) *Shattering Hopes, Post-Election Crackdown in Belarus*

<http://www.hrw.org/sites/default/files/reports/belarus0311Web.pdf>

Accessed Tuesday 30 October 2012

Human Rights Watch (9 February 2011) *Belarus: Survey Shows Massive Abuses of Protesters*

<http://www.hrw.org/news/2011/02/09/belarus-survey-shows-massive-abuses-protesters>

Accessed Tuesday 30 October 2012

Radio Free Europe/Radio Liberty (20 December 2011) *Dozens Held In Belarus Over Protest*

http://www.rferl.org/content/dozens_held_in_belarus_over_protest/24428144.html

Accessed Tuesday 30 October 2012

Radio Free Europe/Radio Liberty (21 July 2011) *Belarusian Protesters Detained After Latest Weekly Protest*

http://www.rferl.org/content/belarus_protesters_detained/24271799.html

Accessed Wednesday 31 October 2012

Radio Free Europe/Radio Liberty (13 July 2011) *Belarus Detains Dozens Of Protesters*

http://www.rferl.org/content/belarus_detains_dozens_of_protesters/24264947.html

Accessed Wednesday 31 October 2012

Radio Free Europe/Radio Liberty (5 July 2011) *Belarus Jails, Fines Scores After Antigovernment Protests*

http://www.rferl.org/content/scores_fined_jailed_in_belarus_after_protests/24256365.html

Accessed Wednesday 31 October 2012

Radio Free Europe/Radio Liberty (3 July 2011) *Belarus Police Stifle Protests On Independence Day*

<http://www.rferl.org/articleprintview/24254152.html>

Accessed Wednesday 31 October 2012

Radio Free Europe/Radio Liberty (29 June 2011) *Dozens Detained At Antigovernment Rally In Minsk*

http://www.rferl.org/content/belarus_antigovernment_rally_minsk/24250715.html

Accessed Wednesday 31 October 2012

Radio Free Europe/Radio Liberty (23 June 2011) *Belarusian Police Crack Down On Minsk Protest*

http://www.rferl.org/content/belarus_police_break_up_minsk_protest/24243579.html

Accessed Wednesday 31 October 2012

Radio Free Europe/Radio Liberty (15 June 2011) *Belarusian Police Disperse Opposition Flash Mob*

<http://www.rferl.org/articleprintview/24236371.html>

Accessed Wednesday 31 October 2012

This response was prepared after researching publicly accessible information currently available to the Refugee Documentation Centre within time constraints. This response is not and does not purport to be conclusive as to the merit of any particular claim to refugee status or asylum. Please read in full all documents referred to.

Sources Consulted

Amnesty International
BBC News
Electronic Immigration Network
European Country of Origin Information Network
Freedom House
Google
Human Rights Watch
Immigration and Refugee Board of Canada
Internal Displacement Monitoring Centre
International Crisis Group
IRIN News
Lexis Nexis
Minority Rights Group International
Online Newspapers
Refugee Documentation Centre E-Library
Refugee Documentation Centre Query Database
Refugees International
Reliefweb
Reuters
United Kingdom Home Office
United States Department of State
UNHCR Refworld