



HUMAN RIGHTS DEFENDERS FOR FREE ELECTIONS

Republic of Belarus. 2020 Presidential Election

Weekly observation report: June 15-21

Observation of the presidential election is carried out by the Belarusian Helsinki Committee and the Human Rights Center “Viasna” in the framework of the campaign “Human Rights Defenders for Free Elections”.

SUMMARY

- the presidential election is taking place against the background of a sharp deterioration of the overall human rights situation in the country, in a situation of incessant repression against citizens, including direct participants in the electoral process, which contributes to an atmosphere of fear in society;
- on June 18, it became known that officers of the Department for Financial Investigations of the State Control Committee detained a potential presidential candidate, one of the most prominent participants in this year’s election, Viktor Babaryka, and the head of his nomination group, Eduard Babaryka. Later it was reported that the Prosecutor General’s Office opened a criminal case under Parts 2 and 3 of Article 285 of the Criminal Code (creation of a criminal organization or participation in it). Both detainees are held in the KGB pre-trial detention center in Minsk. Earlier, police detained members of Babaryka’s nomination group Sviatlana Kupreyeva and Uladzimir Dudarau. The human rights community declared Viktor Babaryka and the detained members of his nomination group political prisoners and demanded their immediate release;
- on June 16, it became known that another criminal case was opened under Art. 191 of the Criminal Code (obstacles to the exercise of suffrage, the right to participate in a referendum, or the exercise of the right of legislative initiative by citizens, or the work of the Central Election Commission). It is known that the case was initiated after a complaint filed by CEC Chairwoman Lidziya Yarmoshyna;
- June 19 was the last day of the phase of collecting signatures in support of presidential nominations. Three nominees, Natallia Kisel, Aliaksandr Tabolich, and Yury Hubarevich, announced their withdrawal from the election;
- campaign observers continue to report the abuse of administrative resources in collecting signatures for the nomination of incumbent President Lukashenka, in particular collecting signatures with the direct participation of the administrations of organizations, enterprises and institutions in their territories, including during working hours;
- when holding street pickets to collect signatures for the nomination of Lukashenka, their organizers also discussed other issues that affect the interests of citizens. At the same time, these actions were not reprimanded by either law enforcement agencies or election commissions, which is evidence of selective approaches to street pickets by some candidates;

- campaign observers continue to face refusals by the TECs to observe signature verification procedures;
- considering the current situation in the country and the conditions of the election in general, experts of the campaign “Human Rights Defenders for Free Elections” believe that the background of this year’s election is incompatible with international standards of free and democratic elections based on equal competition.

GENERAL SITUATION

One of the main events in the reporting period was the arrest on June 18 of presidential nominee Viktor Babaryka, as well as the head of his nomination group Eduard Babaryka.

According to the head of the Department for Financial Investigations of the State Control Committee¹, Babaryka was detained for acting as the direct organizer of illegal activities, attempting to influence witnesses, and to hide traces of earlier crimes. Later it became known² that the Prosecutor General’s Office opened a criminal case under Parts 2 and 3 of Art. 285 of the Criminal Code (creation of a criminal organization or participation in it).

The grounds for detaining Eduard Babaryka were not officially announced. At the moment, it is known that Viktor and Eduard Babaryka are held in the KGB pre-trial detention center. Viktor Babaryka has been officially charged. Earlier, members of Viktor Babaryka’s nomination group Sviatlana Kupreyeva and Uladzimir Dudarau were detained and taken into custody.

These detentions were preceded by the arrests of several Belgazprombank employees and repeated public threats by the head of state against Babaryka, as well as the blocking of his election fund³, which campaign analysts saw as arbitrary use of law enforcement tools. The blocking will inevitably limit the candidate’s opportunities.

Babaryka’s detention caused a significant public response. In a joint statement, Belarusian human rights organizations called the detention of Babaryka and four members of his nomination group politically motivated and demanded their immediate release.⁴

The EU called Belarus to release Babaryka.⁵

Experts of the campaign “Human Rights Defenders for Free Elections” note that the detention of Babaryka and members of his nomination group was the result of a repressive campaign launched by the country’s authorities from the very beginning of the election. Over 6 weeks, hundreds of people, including direct participants in the election, have been subjected to repression: administrative detentions and fines, dismissal, etc. Siarhei Tsikhanouski, the head of the nomination group of Sviatlana Tsikhanouskaya, and seven of his associates are being held in pre-trial detention as part of a criminal case and were also declared political prisoners by Belarusian human rights activists. At the same time, lawyers are not allowed to visit the persons in custody, and they are subjected to cruel and inhuman treatment and torture.⁶

On June 16, it became known that another criminal case had been instituted against Siarhei Tsikhanouski under Art. 191 of the Criminal Code (obstacles to the exercise of suffrage, the right

¹ <https://www.youtube.com/watch?v=TH5TmYaIutk>

² <https://news.tut.by/elections/689487.html>

³ <https://belsat.eu/en/news/authorities-block-account-of-viktar-babaryka-s-electoral-fund/>

⁴ <https://elections2020.spring96.org/en/news/97707>

⁵ <https://elections2020.spring96.org/en/news/97702>

⁶ <https://news.tut.by/society/689017.html>

to participate in a referendum, or the exercise of the right of legislative initiative by citizens, or the work of the Central Election Commission). It is known that the case was initiated after a complaint filed by CEC Chairwoman Lidziya Yarmoshyna.⁷

The day before, Sviatlana Tsikhanouskaya said that she was threatened by unknown people in connection with her participation in the election.⁸

Thousands of citizens took part in pickets of solidarity on June 19 and 20 in Minsk and other cities of the country. Despite the clearly peaceful nature of the rallies, police detained dozens of protesters, in some cases with the excessive use of physical force. As a result, some 200 people were detained.⁹

In connection with the significant deterioration of the general human rights situation in the country, on June 17, the Human Rights Center “Viasna” and the Belarusian Helsinki Committee wrote to a number of UN special rapporteurs and the UN High Commissioner for Human Rights asking the UN experts to urge the Government of Belarus to take immediate measures to fulfill its international human rights obligations.¹⁰

No later than June 19, the nomination groups were expected to submit signatures collected to support presidential nominations for verification by district, city, and district election commissions.

Thus, the electoral phase of signature collection ended on June 19. It is now known that three of the nominees have announced their decisions to quit the election: Natallia Kisel, Aliaksandr Tabolich, and Yury Hubarevich.

COLLECTION OF SIGNATURES

Presidential nominees and their teams continued to collect signatures to support their nominations. According to observers, the nomination groups of Viktor Babaryka, Sviatlana Tsikhanouskaya, and Valery Tsapkala were the most active. In addition, in many cities signatures were collected by the nomination groups of Siarhei Cherachen, Hanna Kanapatskaya, and Andrei Dzmitryeu. Yury Hubarevich, Mikalai Kazlou, and Volha Kavalkova also organized several pickets, including a “Solidarity Picket” on the evening of June 18.

In the last week of collecting signatures, members of Belaya Rus, BRSM and the Federation of Trade Unions held a series of pickets in different cities to support the nomination of Aliaksandr Lukashenka. During the pickets, the signature collectors answered questions. Suggestion boxes were also installed there. People were offered to leave their proposals to the current head of state.¹¹ The Belaya Rus website had previously promised¹² that “everything important that is heard and recorded will be analyzed and passed up vertically. The President will personally deal with the most difficult issues.”

The pickets held by the pro-government activists were marred by violations: according to the website of Belaya Rus, representatives of Lukashenka’s nomination group presented a young

⁷ <https://elections2020.spring96.org/en/news/97634>

⁸ <https://elections2020.spring96.org/ru/news/97600>

⁹ <https://spring96.org/en/news/97753>

¹⁰ <https://elections2020.spring96.org/en/news/97672>

¹¹ <https://belarus.by/news/vybory-prezidenta-respubliki-belarus-2020/minsk-moskovskiy-rayon-odnoimennyy-rynok/>

¹² <https://belarus.by/news/vybory-prezidenta-respubliki-belarus-2020/dve-skhozhie-novosti-s-vitebshchiny/>

couple with a branded umbrella after they promised to put their signatures.¹³ The Electoral Code prohibits the remuneration of voters for signing; violation of this requirement may be grounds for denial of registration or cancellation of the decision on the registration of a candidate for President of the Republic of Belarus.

Experts of the campaign “Human Rights Defenders for Free Elections” note that the participants in the pickets are allowed to freely discuss socio-political issues. However, demonstrating double standards, the authorities tend to condemn the free format of pickets only in cases of alternative candidates, but ignore the pickets in support of the incumbent.

Many participants in opposition election pickets who did not violate public order were fined and administratively detained, and some repeatedly. The last pickets to collect signatures were held on June 19 in Minsk and many other cities of the country (Mahilioŭ, Svietlahorsk, Maladziečna, Homieĺ, Viciebsk, etc.) and ended in mass detentions, often with arbitrary or disproportionate use of force and special gear by the police. According to the Human Rights Center “Viasna”, more than 150 people were detained in Minsk, more than 10 in Babrujsk, and about 10 in Homieĺ and Navapolack. Among the detainees are at least 10 journalists. Numerous protesters faced charges under Article 23.34 of the Code of Administrative Offenses for violating the procedure of holding mass events. Several detainees were placed in detention facilities.

On Friday, June 19, the territorial election commissions completed the admission of support signatures. There were no reports from observers of obstruction to the submission or refusal to accept signatures during the week.

On June 19, coordinators and members of Babaryka’s nomination group asked¹⁴ the CEC to ensure the acceptance of more than 30,000 signatures, which could only be submitted by the nominee himself, his campaign manager Eduard Babaryka or regional coordinators in respective areas. After Babaryka and his son were arrested, it turned out that part of the signatures would not meet the provisions of para. 14 of Art. 61 of the Electoral Code, which only allows the submission of signatures by authorized persons.¹⁵ As a result, Babaryka’s nomination group submitted 365,000 out of 435,000 collected signatures.

On June 19, Mikhail Orda, head of Aliaksandr Lukashenka’s nomination group, said that the group had collected about 2 million signatures¹⁶, 60% of which were collected at people’s homes and 40% at enterprises and during pickets.

Valery Tsapkala reported on having submitted 160,000 signatures.¹⁷

Campaign observers continue to report the use of administrative resources in collecting signatures for the nomination of incumbent President Aliaksandr Lukashenka: the collection of signatures involves the administrations of organizations, enterprises and institutions directly on their territories, including during working hours.

For example, Siarhei Nikitsin, former welder at the Belarusian NPP, said that on June 1, workers at the 2nd power unit were offered to sign for Lukashenka in filled-in signature sheets. He and

¹³ <https://belarus.by/news/vybory-prezidenta-respubliki-belarus-2020/bobruyskaya-tvorcheskaya-initsiativa/>

¹⁴ <https://babariko.by/news/my-hotim-chtoby-vse-podpisi-popali-v-czik>

¹⁵ <http://spring96.org/ru/news/97335>

¹⁶ <https://1prof.by/news/obshhestvo-i-profsoyuzy/za-vydvizhenie-aleksandra-lukashenko-kandidatom-v-prezidenty-podpissalis-poryadka-dvuh-millionov-chelovek/>

¹⁷ <https://news.tut.by/economics/689527.html>

many others refused to sign. The signature sheets were filled out electronically, some of which included old passport data. On June 16, Nikitsin sent an electronic complaint to the CEC.

OBSERVATION CONDITIONS

The TECs operate, as a rule, in the premises of local government bodies and administrations, which are currently restricted for visits due to the coronavirus epidemic. Thus, observers may not always be able to ensure that election commissions are open during working hours.

On June 19, Aksana Semezh, secretary of the Maladziečna district election commission, did not allow accredited observers into the office, explaining that a meeting was in progress and the observers could not attend it. When asked about the number of signature sheets submitted by each of the nomination groups, she only disclosed a list of groups.

Observers who have applied to the commissions to observe the process of verification of signature sheets continue to receive refusals referring to the absence of corresponding rights in electoral laws. Such answers were received by observers from the Lieninski district election commission in Hrodna, the Svietlahorsk district commission, the Rečyca district commission, the Biaroza district commission, the Lieninski district commission of Brest and some other election commissions. Some observers received vague answers that they would be invited to the commission meetings, but they believe that the process of verifying signatures will take place as usual before the meeting, and the TEC meetings will only announce its results (e.g. Barysaŭ district commission); also, some observers were invited to meetings that were expected to verify signatures immediately after the expiration of the deadline for the receipt of signature sheets, 7 pm, June 19 (e.g. Smarhoń district commission).

It should be emphasized that the results of signature verification, and, in general, the successful registration of presidential candidates, depend on how the process of selection of signature sheets for verification is organized, including whether any pressure was exerted on people who signed for the nomination of a candidate.