Civic Solidarity Platform Working Group on the Fight Against Torture Civic Solidarity Platform Turkmenistan Working Group Crude Accountability

ENFORCED DISAPPEARANCES IN BELARUS

Policy Brief

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About the Project

In 2022-2023, Crude Accountability, in cooperation with members of the <u>Turkmenistan Working Group</u> and the <u>Working Group on the Fight Against Torture</u> of the <u>Civic Solidarity Platform</u> (CSP), initiated a project to research the issue of enforced disappearances in the region of the Organization for Security and Cooperation in Europe (OSCE).

With generous funding from <u>Austausch</u>, e.V., a German human rights NGO, the project focuses on the issue of enforced disappearances within the context of the OSCE December 2020 decision, which was adopted by consensus at the Ministerial Council Meeting in Tirana, Albania in December 2020, for an <u>expanded OSCE commitment on torture prevention</u>. This commitment includes the fight against enforced disappearances and incommunicado detention.

Focusing on the Balkans, Belarus, Chechnya, Nagorno-Karabakh, Tajikistan, Turkmenistan, and Ukraine, the project draws attention to the ongoing horrors of enforced disappearances in the context of conflict and repression. The Balkans, Chechnya, Nagorno-Karabakh, and Ukraine provide examples of enforced disappearances in conflict zones—both as a tool of regimes and armies, and as a product of war. Belarus, Tajikistan, and Turkmenistan are examples of regimes that use enforced disappearance as a tool of repression, even in peacetime. However, the use of enforced disappearances in all seven regions is one that is related to repression, as our policy papers demonstrate.

About Crude Accountability

Crude Accountability is a non-profit organization committed to defending the human rights and environment of communities affected by oil and gas development in the Caspian and the Black Sea regions. Crude Accountability works to hold governments and corporations accountable for their actions and advocate for sustainable and just energy practices. For more information, please visit Crude Accountability's website at https://crudeaccountability.org

About Civic Solidarity Platform

Civic Solidarity Platform is a network of human rights NGOs, activists, and experts from across Europe, the Caucasus, and Central Asia. The platform collaborates to promote and protect human rights, democratic principles, and civil society participation within the OSCE region. For more information, visit https://www.civicsolidarity.org/

About the Author

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Arve Hansen works at the Documentation and Accountability Hub of the Norwegian Helsinki Committee. He has specialized in the analysis of opposition movements in Ukraine, Belarus, and Russia, as well as the war in Ukraine. He is the author of three books.

Hansen has studied at two Belarusian universities in Minsk (2006–2010), worked for the Norwegian Ministry of Foreign Affairs in Kyiv and Murmansk (2011–2013), and conducted extensive fieldwork in Ukraine as a researcher (2013–2018). He obtained his PhD from UiT The Arctic University of Norway in 2020.

Enforced disappearances in Belarus

Abstract

Since the rise to power of Aliaksandr Lukashenka in 1994, Belarus has experienced a sharp transition to an authoritarian political system. Enforced disappearances were a key element in Lukashenka's consolidation of power during his first term in office. Four individuals, including two politicians, one businessman, and one investigative journalist, remain unaccounted for and are presumed to have been murdered. During periods of protest against the regime, enforced disappearances of demonstrators and protest leaders also occur, although typically with non-fatal outcomes. The Belarusian authorities have not conducted proper investigations into these disappearances, and the suspected perpetrators have yet to be brought to justice. As a result, civil society in Belarus and international organizations have called for thorough investigations of these crimes. Given the current unstable climate in Belarus and the wider region due to the war in Ukraine, there is a significant risk that new cases of enforced disappearances might occur. Therefore, this paper proposes three broad policy recommendations aimed at preventing new enforced disappearances in Belarus.

Background

The Republic of Belarus is often referred to as the "last dictatorship in Europe", a term coined in 2005 by former US Secretary of State Condoleezza Rice (Kubusova, 2005). While some European countries have exhibited authoritarian tendencies in recent years, they do not come close to the level of authoritarianism seen in Belarus.

No free or fair elections have been held in the country since Aliaksandr Lukashenka was first elected president in 1994. The regime has gained full control over political institutions, falsified referenda and elections, built a powerful police state, and systematically attacked free media and civil society. State violence is widespread, and the security apparatus operate with impunity. Moreover, several United Nations treaties on human rights have not been signed. Among them, the International Convention for the Protection of All Persons from Enforced Disappearance.

During Lukashenka's first term in office (1994-2001), he consolidated power through two controversial referenda held in 1995 and 1996. These referenda granted Lukashenka complete control over the state budget and shifted political power from the parliament to the presidency, while also extending his first term in office to 2001.

This period in Belarus was characterized by significant political opposition to Lukashenka. Members of parliament organized a hunger strike in the National Assembly of Belarus in 1995 and attempted to impeach Lukashenka in 1996. Meanwhile, street rallies and demonstrations against the president became more frequent.

In response, a campaign of repression was launched against key figures in the opposition, resulting in some being imprisoned, forced into exile, or dying under suspicious circumstances. According to the Civic Solidarity Platform, a secret government-controlled "death squad" was created in the mid-1990s. The group, which has been confirmed by reliable sources, allegedly carried out around 30 assassinations and extrajudicial killings, including of dangerous criminals and political opponents of the regime (Civic Solidarity Platform, 2014).

During this campaign of repression, four individuals critical of the regime were forcibly disappeared:

• Major General Yuryi Zaharanka had previously served as Minister of Internal Affairs under Lukashenka but had been dismissed by the president. He became one of the main leaders of the opposition and a vocal critic of the regime. In an interview, Zaharanka revealed how Lukashenka demanded absolute loyalty from his ministers and warned that the president had turned Belarus into something "worse than fascism" (Khashchevatski, 1996). Zaharanka was abducted by plainclothesmen on his way home from work on May 7, 1999.

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¹ Investigative journalist and political scientist Anatol Maisenia died in a car crash in November 1996, right before the second referendum. Henadz Karpenka, former MP and leader of the United Civic Party – the main opposition party, passed away due to heart-related issues in April 1999.

- Four months later, on September 16, 1999, Viktar Hanchar and Anatol Krasouski, two other prominent members of the opposition to Lukashenka, went missing. Hanchar was the former Deputy Prime Minister and Chairman of the Central Election Committee, and he had severely criticized the controversial referenda in 1995 and 1996. Hanchar was also the leader of the United Civic Party and enjoyed significant popular support. Krasouski, a long-time friend and financial supporter of Hanchar, was a businessman and publicist who was also a vocal critic of the regime.
- The fourth enforced disappearance occurred on July 7, 2000, when **Dzmitryi Zavadski**, a Belarusian journalist and cameraman working for the Russian TV news agency ORT, was abducted from Minsk National Airport. Zavadski had lost his accreditation in 1998 after filming a news report critical of the regime on the border to Lithuania. At the time of his disappearance, he and his colleague Pavel Sheremet were covering the military conflict in Chechnya.²

Legal proceedings related to the disappearances have been cloaked in secrecy. The alleged commander of the Belarusian death squad was arrested over suspicion of organizing the murders of Zaharanka, Hanchar, and Krasouski. Witness testimonies and several pieces of evidence supported the allegations against him.³ However, he was released by the order of the president, and the allegations were dropped. Two key prosecutors were dismissed from their positions, and two investigators and one witness died unexpectedly from heart problems. Others connected to the case fled into exile (Viasna, 2007; Belarusian Documentation Center, 2015).

Zavadski's disappearance was also obfuscated. Initially, Belarusian authorities denied any involvement, and the investigation stalled. However, in 2002, four men were arrested and charged with his kidnapping and murder. During the trial, the defendants confessed to the crime but later recanted, alleging that their confessions had been obtained through torture. The trial lacked transparency, and concerns were raised about the fairness of the proceedings. In 2003, the court found the defendants guilty and sentenced them to long prison terms. Zavadski's lawyer, many human rights organizations, and international bodies, including the United Nations, criticized the trial and called for a new, independent investigation.

The investigations into the disappearances of Yuryi Zaharanka, Viktar Hanchar, and Anatol Krasouski were closed in 2003, with Zaharanka's case being reopened and closed again in 2006. While Zavadski's case was also closed in 2006, none of the bodies of the missing individuals have been found. As of 2023, Belarusian authorities only officially consider Zavadski to be deceased, while Hanchar and Krasouski are classified as "missing," and Zaharanka's status remains undefined.

² Pavel Sheremet was himself killed in Kyiv in 2016 by a car bomb.

³ New evidence confirming the initial suspicions has later emerged. In a 2019 DW documentary, for example, a key witness Yuryi Harauski tells how he assisted the special unit in committing abduction and murder (Trippe and Sotnik, 2019).

The lack of transparency and accountability in the legal proceedings related to the enforced disappearances is a significant cause for concern.

Disappearances during mass demonstrations

The Belarusian regime has also resorted to enforced disappearances as a means of suppressing opposition, particularly during times of heightened political turmoil such as the post-election protests in 2006, 2010, and 2020. The government has employed two primary tactics to quell dissent: police brutality and abductions.

During the 2020 post-election protests, thousands of demonstrators were detained by police and plainclothesmen in a seemingly arbitrary manner. There were frequent reports of brutality and torture in detention facilities. Several prominent opposition figures, including presidential candidate Sviatlana Tsikhanouskaia and campaign manager Maryia Kalesnikava, were abducted by the police. In numerous instances, the authorities refused to provide information about the detainees to their lawyers or family members, often over periods of several days. Blackouts of internet and mobile telephone communications made it particularly difficult to locate missing persons (Marin, 2021).

Civil society responses

The responses to the enforced disappearances in Belarus have been diverse and extensive.

Since 1999 and 2000, when the first instances of enforced disappearances occurred, various parts of civil society in Belarus, including opposition parties and informal groups, have organized multiple marches and demonstrations in different cities across the country. During these demonstrations, participants hold up pictures of the disappeared individuals to raise awareness about the crimes against humanity committed by the government.

The opposition has also attempted to draw a parallel between the atrocities committed under Stalin's regime in the 1930s and the crimes committed under Lukashenka's regime.⁴

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⁴ Actions have often been carried out in the Kurapaty forest on the outskirts of Minsk, where it is estimated that several tens of thousands of people were murdered by the Soviet NKVD. There, the Belarusian opposition regularly holds vigils for the killed under the rule of both Stalin and Lukashenka. Through this comparison, they aim to underscore the authoritarian and oppressive nature of the current government, which has consistently suppressed dissent and opposition through various means, including enforced disappearances and other forms of violence.

The disappearances have been extensively covered in various forms of independent Belarusian media, including books, reports, and documentaries,⁵ as well as through cultural expressions. In 2010, for example, the Belarus Free Theatre, a group that operates underground, staged a powerful production titled, "Discover Love." The play was created to commemorate the ten-year anniversary of the disappearance of Belarusian opposition politician Anatol Krasouski and to raise awareness for the United Nations Convention Against Enforced Disappearances. The play is based on the story of Krasouski's wife, Iryna Krasouskaia, and has received critical acclaim from international media (e.g. Brantley, 2011).

Belarusian civil society organizations are actively advocating for the protection of human rights and the rule of law in their country. Among the most prominent groups are the Belarusian Documentation Center (BDC), a non-governmental organization that focuses on gathering and analyzing information about human rights abuses, including enforced disappearances. In addition to the BDC, the Viasna Human Rights Centre and the We Remember Civil Initiative have been instrumental in raising awareness about this issue and engaging both the Belarusian government and international organizations in efforts to address it.

Petitions have been created on behalf of the victims' relatives to demand prompt and objective investigations into the disappearances and the immediate suspension of government officials involved in the crimes. These petitions have been sent to various government institutions and organs, such as the national investigative committee, the prosecutor's office, and the constitutional court (Viasna, 2019).

International responses

Various international organizations and institutions, including the United Nations (UN) through the UN Human Rights Commissioner and the special Rapporteur on the situation of human rights in Belarus, the Organization for Security and Cooperation in Europe, and the Parliamentary Assembly of the Council of Europe, have repeatedly criticized the Belarusian authorities for their human rights record.

In 2020, for instance, in response to reports of severe human rights violations following the most recent elections, a group of UN experts released a statement urging the Belarusian authorities to refrain from allowing the use of torture and reminding them that even brief detentions without acknowledgment constitute an enforced disappearance (OHCHR, 2020).

⁵ Several documentaries have been made in Belarus and Russia that partially or wholly focus on the enforced disappearances in Belarus. These films include "Ploshcha" (Khashchevatski, 2007), "Ordinary Elections" (Khashchevatski, 2011), "Belarusian Dream" (Kibalchych, 2011), and "The Gang" (Belarusian Documentation Center, 2015). The latter delves specifically into the issue of enforced disappearances.

Official responses from Minsk

Despite the broad national and international attention given to the issue, the Belarusian authorities have largely denied allegations of enforced disappearances in the country and have been dismissive of criticism. They do not recognize enforced disappearances a separate crime under Belarusian legislation. The Belarusian government has demonstrated a lack of willingness to engage with relatives of the disappeared, NGOs, or the international community on human rights concerns, and has consistently resisted efforts to hold those responsible for the crimes accountable.

The human rights situation in Belarus has worsened amidst Russia's ongoing aggression in Ukraine, which Belarus supports. In March 2023, the Belarusian government added terrorism and treason to the list of crimes punishable by death (National Legal, 2023). Moreover, civil society reports that the government has launched a new brutal campaign of repression to eliminate opposition (Hanchar, 2023).

Given these recent developments in Belarus, there is a high likelihood of new enforced disappearances taking place.

Policy recommendations

1. Continue and increase support for Belarusian civil society.

This support should be threefold: Firstly, organizations that document human rights violations must receive adequate monetary support to continue their work. Secondly, persons in need to leave the country to ensure their safety should be assisted in doing so. Thirdly, to facilitate a smooth transition from dictatorship to democracy, it is essential to support the democratic opposition in exile and encourage them to further develop their institutional foundation. This will enable them to take a leadership role in shaping the future of Belarus once the current regime falls.

2. Increase pressure on Belarusian authorities to end the practice of enforced disappearances.

This includes A) calls for the reopening of investigations into the disappearances, with a focus on proper investigation and justice for the victims and their families; B) Demand that commanders and officials who are suspected of involvement in the disappearances be immediately suspended during the investigation; C) Recognize the deaths of Yuryi Zaharanka, Viktar Hanchar, and Anatol Krasouski; and D) Urge Minsk to sign and ratify the UN International Convention for the Protection of all Persons from Enforced Disappearance.

3. Sanction the political and financial elites of Russia and Belarus

Sanctions against the Belarusian regime and individuals should also be expanded to increase the cost of human rights violations and crimes against humanity. Moreover, sanctions targeting the Russian political and financial sector should be increased, considering the significant role that Moscow plays in supporting the Lukashenka regime.

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