

Human Rights in Belarus. Youth against Death Penalty?

A report on a project about civil disobedience in Eastern Europe

As a part of our studies at the Institute for East European studies of the Free University of Berlin, we conducted a project on the topic *Civil disobedience? State and Society in East Europe*. Our aim was to find out to what extent civil movements exist in Belarus, a country that is considered to be an authoritarian state. Furthermore, we wanted to know whether civil disobedience is possible in a country like Belarus.

In the course of 2014 our project basically focused on the situation of human rights in Belarus, above all the death penalty. Belarus is the only European country that implements the capital punishment nowadays. Therefore the question came up which reasons exist for maintaining the death penalty. An important part of our research was the role of the civil society in Belarus. We wanted to figure out whether there are civil organizations, movements or initiatives that deal with the abolition of the death penalty. The last major part was to analyze the general opinion of the Belarusian population. We decided that it would be more interesting to investigate the point of view and perspective of young Belarusians because their opinion has so far not been involved in any statistics. We conducted a survey among students at the European Humanities University in Vilnius. During our research we also got the chance to meet Belarusian students in Germany and young Belarusians at one of the three summer schools organized by the human rights organization *Viasna*. For us it was important to meet this organization while dealing with our project over the last year because *Viasna* is the biggest and most well-known Belarusian human rights organization. It was interesting for us to talk with some activists of *Viasna* which is why we decided to meet them in July 2014.

International Documents on Abolition of Capital Punishment vs. the Referendum of 1996 in Belarus

The declaration of the *European Human Rights Convention* (EHRC) in 1953 left the question of death penalty open. Since then keeping or abolishing the death penalty was a matter of each sovereign European state. In the EHRC of 1953 it was not explicitly written that the death penalty should be abolished.

Nevertheless the convention was amended by additional protocols forbidding the usage of death penalty in times of peace. In 2003 another protocol was declared supporting the unconditional abolition of the death penalty regardless of peace or wartimes. The *European Human Rights Convention* is therefore an important document that should support the definitive abolition of the death penalty in Belarus. The problem is that this document has not been ratified by Belarus and therefore is not valid for the Belarusian government. The only international document that Belarus signed and that is related to the question of death penalty is the *International Covenant on Civil and Political Rights* (ICCPR) of the United Nations. But this convention also left the question of death penalty open and therefore a matter of each state. Since the adoption of the ICCPR there has been taken important steps to modify this covenant and to support the absolute abolition of death penalty worldwide. The Second Optional Protocol to the ICCPR was a side agreement, created in December 1989, which commits its members to the abolition of the death penalty within their borders. This Second Optional Protocol has also not been ratified by Belarus.

But why does Belarus not aim to sign such documents? For which reasons do Aleksandr Lukaschenko and the government still defend the maintenance of the death penalty in Belarus? The government often relates to the referendum of 1996 where 80% of the Belarusian population voted for the death penalty. That is why Lukaschenka still uses the referendum legitimizing the need and maintenance of the death penalty in Belarus. The problem was that the Belarusian population did not only decide on the death penalty during the

referendum of 1996 but also on other questions, such as the postponement of the Independence Day, the land reform etc. According to the *Belarusian Helsinki Committee* the referendum violated international standards and norms. There were accusations of manipulation before the referendum was conducted.

Another big and more important problem was the lack of public discussions or information about the meaning of the death penalty. The Belarusian media landscape is controlled and influenced by the state which is why unpleasant or difficult topics such as death penalty were not discussed openly.

The Opinion of students of the European Humanities University in Vilnius on the Human Rights Situation and the Death Penalty in Belarus

According to a survey among 30 young Belarusian students that we carried out through a questionnaire it becomes clear that the youth is aware of the problematic legal position in Belarus. They assume that the 1990s were difficult times, characterized by criminality as well as political and economic crises. Most Belarusians were convinced that the maintenance of the death penalty after the referendum of 1996 would guarantee security. It is interesting to notice that a change of public opinion towards the death penalty seems to have taken place after the verdict of Kanavalau and Kavalyou in 2011. For many Belarusian it was unclear whether the two accused metro terrorists were actually guilty. Especially the Internet was and still is the only place where Belarusians have the possibility to find differentiated opinions and information about human rights topics. According to the surveyed students it can be concluded that the government should be responsible for abolishing the death penalty in Belarus. In fact a change of government might have a positive effect on the situation of human rights but it is unlikely that such a change could actually lead to an abolition of the death penalty. The surveyed students believe that the abolition of the death penalty also depends on the population and the work of human rights organizations. Without them it would not be possible to protect and

support human rights. Nevertheless there is only a small group of organizations in Belarus, which care about an improvement of the human rights situation. In Belarus human rights organizations and civil society are often brought into connection with the opposition, thus they are immediately suspicious to the Belarusian population. Still the majority of the respondents stated and is convinced that a civil society could be the key to at least a minimum of freedom. The sustainable reinforcement of the civil society is dependent on educational offerings and financial support by international organization.

The dichotomy of the Youth about the Human Rights Situation in Belarus

The Belarusian youth can be divided into two groups. There is a vast majority that deals with the situation of human rights by obtaining additional information from alternative media, mainly on the Internet, and reflecting about the sociopolitical situation in Belarus. The Belarusian youth is generally open to alternative ways of thinking. There is a high amount of students who benefit from educational offerings abroad, especially at the European Humanities University in Vilnius, Lithuania. In general EHU students are aware of the state ideology in the area of education and try to oppose it by enrolling in Vilnius. 80% of the EHU students are Belarusians.

The second group behaves rather passively and tries to bear no relation to politics or societal problems. It is important to emphasize that this passivity is not connected to the level of education. An enormous disinterest and indifference regarding the own Belarusian human rights situation can be seen among young academic people. Many believe that Belarus has to deal with other serious problems above all in socioeconomic terms. It is more important to fight against unemployment and guarantee financial well-being and secure existence. First of all, basic needs have to be guaranteed, before liberal values can be endeavored. These values seem to be hardly tangible and irrelevant. This passivity is accompanied by apathy towards politics. Many young Belarusians

believe that there will be no political change in the near future. The fact that Lukaschenko has been in power for over two decades now, has led to a disbelief in the possibility for change in the position of power. Part of the Belarusian youth is susceptible to the propaganda of Lukaschenka without questioning to what extent the propagandistic argumentation is justified. It is furthermore claimed that the death penalty is reasonable because otherwise life imprisonment would cost too much and therefore is an expenditure of tax revenues.

The Work of the Human Rights Organization VIASNA

We got the chance to meet some of the *Viasna* staff and activists. It was really impressive to see how they dedicate themselves to improve the human rights situation in Belarus. One of the most important tasks of *Viasna* is the support of prisoners who are unjustly convicted or sentenced to death for political or other reasons. *Viasna* finds ways to provide financial and legal assistance to the prisoners and their families. Another important part of *Viasna*'s work is informing and educating people through different forms of information or events on topics concerning human rights. Since 2009 the campaign against the death penalty exists, which has been established by *Viasna*, *the Belarusian Helsinki Committee* and *Amnesty International*. The main task of this campaign is the dissemination of information in order to increase awareness of this topic in the Belarusian society. It was interesting for us to hear that the biggest achievement for them is the public discussion about their campaign and that there are adherents and members of this campaign who also have different political opinions. What connects them are not the political opinions but the wish and need to abolish the death penalty, an inhuman instrument that is used to intimidate society. *Viasna*'s contribution in informing and educating the Belarusian population has been steadily increasing since the organized summer schools about Human Rights that take place each year since 2008.

Youth against Death penalty?

One of the activists against the death penalty, Andrej Paluda, makes clear that death penalty is a very emotional topic. When showing the audience their educational films about death penalty people start to become thoughtful and vote against it. When the government presents material about the death penalty, people usually have the opposite point of view and find reasons for supporting the death penalty. It strongly depends on how the information is expressed or presented. In this case the emphasis changes a lot and can influence the peoples opinion tremendously. There do not exist any differentiated reflections about this topic when watching an educational movie of the government. The inner process is missing, which means that references to values, common sense and political conviction are deliberately left out. The crucial point of the implementation of the death penalty is that it does not only constitute one perpetrator but many others who take part in this such as, lawyers, courts and also the society. In our interviews and conversations with young Belarusian people at the summer school in Vilnius we more than once heard that the older generation i.e. the generation of the Soviet Union still has different values and opinions. They have been socialized differently and are still shaped by Soviet ideas. It is hard or unlikely to change their minds. For the activists of *Viasna* it is more interesting and exciting to work with the youth because they are open to alternative opinions. Andrey Paluda also noted that at the beginning of the summer schools only those who already had an idea about human rights in Belarus participated in these summer schools. Nowadays there are young people with different backgrounds and interests, studies and knowledge regarding human rights topics. But they are curious and willing to learn more about the human rights situation in Belarus. They do no longer accept that the access to certain ideas and thoughts is not allowed because of ideological reasons. Our observation has shown that the youth seems to be brave enough to question

different structures of their everyday life. They have the opportunity to travel and are therefore open to other ways of life. The young people in Belarus, as any other youth in every other country, forms the future. It lies in their hands in which direction Belarus can move and change to have a better future. Andrey Paluda is full of hope that Belarus will change for the better and we are hoping with him. Paluda states that if he did not have the hope it would be very hard for him to fight against such societal deficiency.

To conclude we must say that there is a big potential among Belarusian youngsters that can strengthen the Belarusian civil society and support the abolition of the death penalty.