

Testimony of Ales Michalevic

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Hearing on Belarus

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Mr. Chairman, Members of the Commission, thank you for the opportunity to speak here about the terrible conditions facing democratic politicians, civic activists, human rights groups and lawyers in Belarus. As one of the candidates in the 2010 presidential election, I was deeply involved in the events that took place during and after the campaign. The brutal crackdown against peaceful protesters that began on December 19th and continues to this day has shocked not only the international community but also many Belarusians who were previously not interested in politics. Today, as we speak, a number of my colleagues, including two other presidential candidates, remain imprisoned. I hope that my testimony will help their difficult conditions.

Today I would like to highlight the horrible human rights situation in Belarus by telling you about my own personal experience. Over the last year, thousands of Belarusians have been arrested, denied legal council, and unjustly sentenced by courts completely controlled by the authoritarian regime of Alexander Lukashenka. Their defence lawyers were rendered incapable of carrying out their professional duties and their licenses to practice were revoked through intimidation and persecution by the authorities. Our stories are similar in many ways.

I was not naive when I decided to enter the presidential race. After years of being a democratic activist, I clearly understood the state's repressive mechanisms, how they functions and what they are capable of. But I also had a clear vision of how my country could be modernized and changed for the better. Back in 2010, during the "Dialogue Process" with the EU, it seemed that positive changes within the regime were possible. Before the election, the candidates were allowed to campaign in ways that were previously forbidden. Many experts interpreted this softening of repression as a sign of liberalization. But it all ended abruptly with the brutal crackdown on election night.

When I heard that many people had been beaten by special forces, I used my car to help my campaign team bring the injured to the hospital or home. That evening, I stayed with my staff at campaign headquarters. In the middle of the night, officers in black masks and uniforms broke down the office door and arrested me.

I was brought to a KGB detention center, where I spent the next two months. During my imprisonment, I was subjected to constant mental and physical torture in order to coerce a confession of guilt. Masked KGB jailers carried out body searches five or six times a day. We were stripped naked and forced to assume various positions. For example, our legs were pulled apart with ropes and we could feel our ligaments tear. Afterwards, it was difficult to walk. We were forced to stand close to the wall, with our arms outstretched, until our hands swelled up. All of this was done in freezing rooms never warmer than 50 degrees. Some of the prisoners in poor health fainted during these "procedures." But those in the masks didn't stop. They would not turn off the overhead lights at night but forced us to lie down underneath the florescent lamps. We couldn't even cover our eyes

with a handkerchief. As a result, our eyesight began to deteriorate. We were ordered to sleep only with our faces turned towards the observation "eyes" in the doors. If we rolled over while sleeping, we were woken up and forced to face the right way. This caused sleep deprivation.

All these KGB tactics aimed to break opposition leaders. Prisoners were denied their legal right to medical help. A doctor could visit the prisoners only once a week, at a specific time. Prisoners were also not allowed to see their lawyers. This was done deliberately to insure silence about the torture. The isolation that is at the core of the KGB's "secret investigations" is used to coerce people into signing prepared statements and confessions.

For me, it became a choice between remaining in jail until my trial or pretending to cooperate with the KGB. At the time, I had very little information on what was going on in Belarus, what had happened to my staff. I later learned that those working at my headquarters were detained and the office equipment confiscated. Campaign workers were repeatedly summoned to the KGB for interrogation. Those who called to me to express their solidarity were questioned.

My apartment, as well as those of my family, was searched several times by the KGB and my relatives were interrogated. My sister's family was in a suspicious accident. Their car was suddenly blocked on the road and rammed from behind by a minibus. The driver of the minibus called the police, who confiscated my sister's documents and detained her husband.

I was unable to see my wife and two daughters for two months. After my wife accepted an invitation to address the Polish Parliament about my imprisonment, she was taken off the train to Poland before it left. When she tried to get to Warsaw by car, she was followed and the car was stopped near the border and escorted back to Minsk by the KGB. She was informed that she could not leave the country until I was indicted. During my imprisonment, she was left to care for our two small children and was constantly harassed by the KGB.

Due to this physical and mental pressure, I agreed to play the game proposed to me and signed an agreement with KGB. But as soon as I was released, I held a press conference to break the silence about the torture that I and others had experienced. I felt I that I had no other choice but to speak out. Despite the risk of being arrested again, I still decided to publicize the torture so as to ease the fate of other political activists and peaceful protesters. I hope that the pressure on them has diminished after my statement.

I am not a hero. It was not possible for me endure further torture and be a martyr. Instead, I believed I could do more good by speaking out about what is going on in the very heart of a European country. I wanted the torture to stop and wanted those people who were earlier hesitant or indifferent to understand the true nature of Lukashenka's regime. After I was released, it took me a while to adapt to the new Belarusian reality. What was going on in my country can only be compared to a gulag. Faced by an unprecedented wave of repression, the country had changed. People were intimidated. Belarus' civil society was paralyzed, with leading activists imprisoned or abroad.

Since coming to power in 1994, Alexander Lukashenka has steadily consolidated his power and transformed Belarus into “Europe’s last dictatorship.” The regime does all it can to hinder those who oppose it. In these circumstances, any pro-democratic political or civic activity in Belarus is not only problematic but also dangerous. Furthermore, the regime has become a virus in the sense that its authoritarian methods have spread to other countries in the region, such as Russia and Ukraine. The roots of Putin’s “administrative reforms” and Tymoshenko’s prison sentence can be found in Lukashenka’s Belarus.

Nevertheless, I decided to participate in 2010 presidential elections in Belarus. I tried to position myself as an independent candidate, distancing myself from both the regime and the traditional Belarusian opposition. In my platform, I advocated economic modernisation, rule of law, real separation of powers and democratic institutions. I sought peaceful evolutionary change by identifying possible ways of cooperation between the authorities and civil society in Belarus. I saw my participation in the campaign as an opportunity to attract people who had never before actively participated in politics but were willing to improve the economic and political state of the country without resorting to radical ideas and acts.

During the violent crackdown on December 19th, more than 800 people were detained, among them dozens of journalists and six presidential candidates. Many participants were beaten and injured. More than 40 people were charged with crimes, including seven of the ten presidential candidates. Today, two candidates remain behind bars – Andrei Sannikov and Nikolai Statkevich – and one is under house arrest. The health of many of the arrested and imprisoned has gravely deteriorated.

Soon after the elections, the campaign headquarters of most presidential candidates were raided and their work paralyzed. Equipment was confiscated and many activists were detained; some had to leave the country for fear of further persecution. The same happened to the offices of many other prominent NGOs and human rights organizations. This was a major blow to the democratic community. Political parties, youth organizations, journalists associations and other initiatives were forced to limit or temporarily cease their activities. Ales Bialiatski, Chairperson of the Human Rights Center Viasna and a Vice President of the International Federation for Human Rights (FIDH), was arrested in August 2011. He is charged with massive tax evasion, is currently in custody, and faces up to seven years behind bars. Recently, a new law is being considered that criminalize all activities carried out with foreign funding.

The regime, which already controls mass media in the country, has only tightened its grip. It has become common practice for the authorities to interfere with the work of independent newspapers and news sites, or block their activities during protests and demonstrations. The authorities have again threatened to close down important independent newspapers, such as *Nasha Niva* and *Narodnaya Volya*. The regime often uses procedural pretexts to limit the free press. The regime is preparing a new law on mass media that aims to control the Internet and limit the financial sources of independent media, as well as toughen conditions for re-registration. It also will establish a new body to regulate the media. According to the new law, independent media can be shut down for a broad number of alleged violations by the decision of the Ministry of Information.

As part of the crackdown, the authorities have attacked lawyers defending the detained and the politically neutral Bar Association. Due to intimidation, persecution and unlawful interference by the authorities, lawyers were unable to properly carry out their professional duties. Since the beginning of this year, lawyers with opposition clients have been under additional scrutiny. Based on alleged “grave violations of the law, incompatible with the position of a lawyer”, the Ministry of Justice disbarred seven lawyers. In violation of the Bar Association’s independence, a decision was made in May 2011 to hold a special re-certification of lawyers by committees of state officials. Some lawyers, who were defending the rights of democrats, were not certified by the new commissions. These repressive measures have forced some lawyers not to fully perform their duties of providing competent legal assistance in defending the rights, freedoms and legitimate interests of the accused, but to limit themselves to the perfunctory fulfilment of orders.

The nature of the Lukashenka regime is to hold onto power for as long as possible. It will use almost any method to protect itself. As the post-election events demonstrated, the regime was ready to repress not only opposition leaders, but simple passers-by that happened to be in the streets during the crackdown. All this is done to intimidate not only civil society, but the entire population of Belarus – to show them who is the real leader of the country. To do this, Lukashenka's inner circle will not stop at anything. The regime not only breaches Belarusian law, but also international agreements. It uses inhumane methods of detainment, pressure and intimidation against even the families of prisoners. No agreement with the regime is valid when the political power of Lukashenka is at stake. He will not implement any serious political or economic reforms, even if he promises and pledges to, because it threatens and diminishes his personal power and wealth, and those who are close to him. Therefore, I believe that it is of no use try to make any agreements with the regime. As the events around the presidential elections have shown, these agreements have proven to be worth very little.

I urge the US, EU and international community not to trust another game of liberalization badly played by the regime. Cooperate only with independent civic society in Belarus: NGOs, both registered and not registered, independent newspapers and democratic activists. These will be the main partners in Belarus after Lukashenka leaves the scene. We should not give a saving hand to a collapsing regime. We should not replace one dictator in Belarus for another.

The Belarusian people deserve to enjoy the same freedoms and rights enjoyed by every American. In the current situation, Belarusian human rights activists and NGOs need more international support and attention. The authoritarian regime in Belarus has become a contagion, negatively affecting other states in the region, even some countries of the European Union, such as Lithuania. Yet, with the right changes and the active support of civil society, the country has a chance to turn into a sustainable democracy and increase democracy and stability in the region.

Thank you