

15 May 2012

BELARUS: No religious burials for executed prisoners

By Olga Glace, Forum 18 (<https://www.forum18.org/>)

Relatives of executed death row prisoners in Belarus remain unable to recover their bodies for burial, Forum 18 News Service notes. In the latest case the mother of Vladislav Kovalev, executed on 15 March, tried to claim her son's body for burial. Lyubov Kovaleva told Forum 18 News Service that "it is important to give Vladislav - like other people - a Christian burial". Death row prisoners are not told until the last minute the date and time of their execution, so they also do not have the chance to receive a visit from a priest. Nor are families of executed prisoners told when and where they are buried. Political prisoners' rights to freedom of religion or belief also continue to be violated, with denials of access to literature such as the Bible and visits by clergy. Correspondence by family and friends with political prisoners has also been blocked. Conscientious objectors to compulsory military service also continue to be punished. Jehovah's Witness Artem Strelchenko has been threatened that, if he does not report for military service, "a complex of measures for the legal evaluation of the given fact" will be undertaken.

Relatives of executed death row prisoners in Belarus remain unable to recover their bodies for burial, Forum 18 News Service notes. The mother of Vladislav Kovalev – one of two young men sentenced to death on 30 November 2011 and executed on 15 March 2012 - has tried to claim her son's body for a Christian burial. Lyubov Kovaleva told Forum 18 News Service that the family is not very religious and went to church only from time to time. "But it is important to give Vladislav - like other people - a Christian burial," she stated from her home in Vitebsk on 7 May. She refuses to believe that her son is guilty of the mysterious April 2011 Minsk bomb attack the authorities claim he participated in.

Belarus is the only country in Europe that still uses the death penalty. Death row prisoners are not told until the last minute the date and time of their execution. For this reason, they do not have the chance to receive a visit from a priest, or make a last confession and take communion if they wish to do so. Nor are families of executed prisoners told when and where they are buried. This prevents them, if they wish, from holding a religious burial service (see F18News 20 October 2010 http://www.forum18.org/Archive.php?article_id=1497).

Aleg Gryshkavtsov, for example, was executed after arrangements had been made for an Orthodox priest to visit him but before the pastoral visit took place (see F18News 4 August 2011 http://www.forum18.org/Archive.php?article_id=1601).

Dmitry Konovalov was executed at the same time as Kovalev for the same crime. His family is not known to have tried to recover his body for burial.

Igor Myalik – a death row prisoner convicted of murder – was sentenced on 14 September 2011. Brest-based human right defender Roman Kisliak, who campaigns against the death penalty, told Forum 18 on 8 May that he does not think Myalik is still alive. All Myalik's correspondence with his family stopped in January 2012. If he has indeed been executed, his place of burial is similarly unknown.

"Bodies are not handed over for burial"

Lyubov Kovaleva appealed for her son's body to be handed over on 22 March, one week after his execution. Responses from both the Interior Ministry's Punishment Implementation Department on 5 April and from the Presidential Administration on 9 April simply referred to Article 175, Part 5 of the Criminal Enforcement Code: "Bodies are not handed over for burial and the place of burial is not communicated." This has been the authorities' response to previous requests for the bodies of other executed prisoners (see F18News 20 October 2010 http://www.forum18.org/Archive.php?article_id=1497).

On 7 May, Kovalev's mother and sister wrote again to the Interior Ministry's Punishment Implementation Department, inquiring why bodies of the executed cannot be handed over to the family. In a separate letter the same day, also seen by Forum 18, they wrote to President Aleksandr Lukashenko describing the treatment of executed prisoners' bodies as "harsh and inhuman". They proposed that he review Article 175, Part 5 of the Criminal Enforcement Code.

With human rights defender Kisliak's help, Kovalev's mother and sister also lodged an appeal to the United Nations Human Rights Committee on 13 May.

Kisliak noted to Forum 18 that death row prisoners are kept in isolation and it remains very difficult to establish whether they have access – if they request it – to religious literature or clergy of their choice (see F18News 4 August 2011 http://www.forum18.org/Archive.php?article_id=1601). "The information is scarce, we don't know exactly if Vladislav Kovalev was able to talk to a priest or not," Kisliak told Forum 18.

Still denied information after two years

For more than two years, Svetlana Zhuk has been struggling to find out the burial place of her son Andrei Zhuk, who was executed in March 2010. She has appealed to international human rights organisations, complaining that she had been "denied the possibility to bury my son in accordance with the demands of Orthodox Christianity" (see F18News 12 October 2010 http://www.forum18.org/Archive.php?article_id=1497).

"Nothing has changed since my first appeal to the President [Aleksandr Lukashenko]", she complained to Forum 18 from Soligorsk in Minsk Region on 8 May. "My appeal has never been answered, even though I sent it right after the execution." She said she also intends to send similar letters to those of the Kovalev family to the President and Punishment Implementation Department. "I don't know what else I can do," she told Forum 18.

Human rights defender Kisliak was not optimistic about success in either Kovalev or Zhuk's cases, saying that "there's little chance to succeed this time". However, he retained some optimism that "something will be changed in future".

Political prisoners still denied religious freedom

Political prisoners' rights to freedom of religion or belief also continue to be violated. Yevgeny Vaskovich for example, a Catholic and an activist of the opposition Belarusian Christian Democratic Party, was initially jailed in January 2011 and subsequently sentenced to a seven year term. He is now in Prison No. 4 in Mogilev [Mahilyow], a maximum security prison.

Like all prisoners of any kind in Belarus, Vaskovich is banned from reading any literature after prison guards extinguish all cell lights at night. It was after one such breach of the prison regulations that he was transferred to Prison No. 4. Taisiya Kabanovich, a Christian Democrat who is responsible for support of political prisoners, told Forum 18 on 10 April that, when Vaskovich was in Bobruisk Prison, he did not have problems either with receiving religious literature or correspondence.

In July 2011 Vaskovich was punished with 10 days' isolation, which was extended by an extra 15 days when he refused to part with his Bible going to an isolation cell. In Belarus' prisons are two kinds of isolation cells: punishment isolation cells where no visits and no literature are allowed, and a ward-type room where a convict is held alone but literature is allowed. Vaskovich was held on his own in a ward. "As soon as he was transferred to Mogilev, correspondence became a problem," Kabanovich of the Christian Democratic Party complained. "We keep writing letters to him but get nothing back, I don't even know if his Bible was given back to him," she told Forum 18.

Violations of political prisoners rights has long been the authorities' policy (see F18News 20 March 2008 http://www.forum18.org/Archive.php?article_id=1103), and was continued during the large-scale December 2010 detentions after the presidential elections (see F18News 4 July 2011 http://www.forum18.org/Archive.php?article_id=1589).

Vaskovich's grandmother Tamara Vaskovich told Forum 18 on 8 May that she sent him a prayer book and a religious calendar. She got the calendar back and was later told that since the calendar was in English it was not allowed. She wants to think that, as the prayer book was not sent back, her grandson received it. However, Vaskovich's friends and family complain that correspondence with him is erratic and that little information about his situation is available.

Pentecostal Christian Zmiter Dashkevich, a Youth Front leader who is serving a two-year term for alleged "hooliganism" in Glubokoye Prison in Vitebsk [Vitsyebk] Region, is kept in a ward-type room where the regime is not so strict, his friend Anastasiya Polozhanko told Forum 18 on 8 May. He very often finds himself in isolation cells and complains that the Bible is not allowed there. "In a ward type room where Dmitry is held now, he can read religious literature, including the Bible," said Polozhanko.

Correspondence blocked

Pavel Severinets, a leader of the opposition Youth Front movement, is serving his three year term in an open regime prison in the village of Kuplin in Brest Region. He told Forum 18 on 10 April that his correspondence with Vaskovich was blocked in September 2011, after he mentioned the Bible in a letter to Vaskovich.

Severinets himself, an Orthodox Christian, has also experienced denial of his rights to religious freedom, for example by being denied visits by an Orthodox priest for five months (see F18News 4 July 2011 http://www.forum18.org/Archive.php?article_id=1589). He currently has no problems with access to religious literature.

Forum 18 was unable to find out whether Vaskovich was given his Bible back as the Governor of Mogilev's Prison No. 4, Aleksandr Lomaza, refused to discuss anything with Forum 18 on 2 May.

Clergy visits also blocked?

Since November 2011 Vaskovich has requested clergy visits several times. His friends from the Belarus Christian Democratic Party promised to make every effort to arrange a visit from a Catholic priest. Denis Sadovsky, Chief Secretary of the Party, told Forum 18 on 14 May that under public pressure many political prisoners have gained access to religious literature, but clergy visits remain unavailable. "Vaskovich can't meet a Catholic priest." Prison Governor Lomaza refused to discuss the issue with Forum 18.

Catholic priest Fr. Vitaly Chebotar, who started to visit convicts in Mogilev prisons in November 2010, told Forum 18 on 7 May that he had not applied yet for visits to Prison No. 4. "I may be refused since it is a maximum security prison," he told Forum 18. He did not know whether other Catholic priests had visited Vaskovich.

Fr. Chebotar insisted that in Prison No. 15 in Mogilev he had no problems in conducting services and bringing religious literature. Asked whether he noticed any limitations for political prisoners, he said he had not. He had regularly seen Dmitry Bondarenko, coordinator of the Charter 97 human rights organisation, at worship services before he was freed on 15 April.

Youth Front activist Dashkevich is only allowed to see clergy chosen by the prison, his friend Polozhanko told Forum 18. A Protestant pastor Dashkevich knows and who he wished to talk to was denied access by the prison administration. This is a continuing problem for him (see F18News 4 July 2011 http://www.forum18.org/Archive.php?article_id=1589).

Conscientious objector warned of "complex of measures"

Belarus is also continuing to punish conscientious objectors to compulsory military service. A young Jehovah's Witness, Artem Strelchenko, has asked to perform alternative service outside the framework of the armed forces because of his religious faith. However, in a 4 May letter seen by Forum 18, Aleksandr Dashkevich, Head of the Kalinkovichi District Military Conscription Office, rejected his application. He warned Strelchenko that if he does not present himself for call-up, "a complex of measures for the legal evaluation of the given fact" will be undertaken.

On 17 April Jehovah Witness Aleksandr Belous was told criminal charges for refusing military service on grounds of religious conscience had been dropped, but that he is being called up yet again for compulsory military service. "I'll have to start from scratch, but I'm not going to the army," he told Forum 18. On 2 May a pacifist from Lida in Grodno [Hrodna] Region, Andrei Chernousov, was confined to a psychiatric hospital to establish if his convictions which led him to refuse call-up accord with "norms of psychiatric health". He was released after five days (see F18News 4 May 2012 http://www.forum18.org/Archive.php?article_id=1697).

Chernousov was freed from the psychiatric hospital in Grodno after five days. He told Forum 18 on 15 May that leaving the hospital he "was diagnosed as healthy". "I'm not going to leave it as it is, I'll stick to my own beliefs," he insisted. "I am going to lodge a complaint in court against the measures taken by the Military Conscription Office."

Alternative service law?

Paragraph 2 of Article 57 of the Constitution states: "The procedure governing military service, the grounds and conditions for exemption from military service, and the substitution thereof by alternative service shall be determined by law". But no law to enact this has ever been adopted. Young men who refuse military service on conscientious grounds often face criminal cases, though courts have given contradictory verdicts. A current draft of an Alternative Civilian Service Law – whose text is not public – may allow only for conscientious objectors with religious beliefs, not for those who hold non-religious pacifist views. There are also indications that alternative service will be twice as long as the maximum military service (see F18News 4 May 2012 http://www.forum18.org/Archive.php?article_id=1697).

If the draft apparently been considered with these provisions ever becomes law, the punitive length of service and discriminatory choice of who may be a conscientious objector will break the International Covenant on Civil and Political Rights which Belarus is bound by (see F18News 26 July 2011 http://www.forum18.org/Archive.php?article_id=1597).

Belarus' government has been considering introducing some kind of alternative service law for some years (see F18News 29 June 2010 http://www.forum18.org/Archive.php?article_id=1462). But no text has ever been made available for public discussion. (END)

For a personal commentary by Antoni Bokun, Pastor of a Pentecostal Church in Minsk, on Belarusian citizens' struggle to reclaim their history as a land of religious freedom, see F18News 22 May 2008 http://www.forum18.org/Archive.php?article_id=1131.

For more background information see Forum 18's Belarus religious freedom survey at http://www.forum18.org/Archive.php?article_id=1311.

Full reports on freedom of thought, conscience and belief in Belarus can be found at <http://www.forum18.org/Archive.php?query=&religion=all&country=16>.

A compilation of Organisation for Security and Co-operation in Europe (OSCE) freedom of religion or belief commitments can be found at http://www.forum18.org/Archive.php?article_id=1351.

A printer-friendly map of Belarus is available at <http://education.nationalgeographic.com/education/mapping/outline-map/?map=Belarus>.

If you need to contact F18News, please email us at:
f18news @ editor.forum18.org

Forum 18
Postboks 6603
Rodeløkka
N-0502 Oslo
NORWAY