



Inter-Parliamentary Union

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Belarus

Decision adopted by the Committee on the Human Rights of Parliamentarians at its 164th session (virtual session, 8 to 20 March 2021)



Mr. Anatoly Lebedko, the then leader of the United Civil Party, is pictured as he talks to the media in Minsk on 6 July 2005. AFP PHOTO / VIKTOR DRACHEV / AFP

BLR-07 – Anatoly Lebedko

Alleged human rights violations

- ✓ Abduction
- ✓ Torture, ill-treatment and other acts of violence
- ✓ Threats, acts of intimidation
- ✓ Arbitrary arrest and detention
- ✓ Lack of fair trial proceedings
- ✓ Violation of freedom of opinion and expression
- ✓ Violation of freedom of assembly and association
- ✓ Arbitrary invalidation of the election of a parliamentarian
- ✓ Abusive revocation or suspension of the parliamentary mandate
- ✓ Impunity
- ✓ Other violations: Right to take part in the conduct of public affairs

Case BLR-07

Belarus: Parliament affiliated to the IPU

Victim: Male opposition member of parliament

Qualified complainant(s): Section I.(1)(a) of the [Committee Procedure](#) (Annex I)

Submission of complaint: March 2021

Recent IPU decision(s): - - -

Recent IPU mission(s): - - -

Recent Committee hearing(s): - - -

Recent follow-up:

- Communication(s) from the authorities: - - -
- Communication from the complainant: March 2021
- Communication(s) addressed to the authorities: - - -
- Communication addressed to the complainant: March 2021

A. Summary of the case

Mr. Anatoly Lebedko was elected to the 12th Supreme Soviet of Belarus in 1990 and later re-elected to the 13th Supreme Soviet in 1995 for a period of five years. He is a senior member and former leader of the prominent United Civil Party, which has been in opposition to the incumbent president, Mr. Aleksandr Lukashenko, since 1996.

Mr. Anatoly Lebedko became a vocal critic of President Lukashenko following two historical votes that took place in 1995 and 1996. Both referenda consolidated the sweeping powers of the President and rolled back democratic reforms that had taken place in the first five years since the independence of Belarus by amending the country's Constitution. Both votes were accompanied by allegations of voter fraud and were condemned by the Parliamentary Assembly of the Organization for Security and Co-operation in Europe (OSCE) as falling far short of democratic standards. The complainant alleges that, in the power struggle that ensued, a new House of Representatives was assembled consisting exclusively of people loyal to Mr. Lukashenko. Up to 60 members of the Supreme Soviet who rejected the new constitution continued to work in the Supreme Soviet, which was recognized as the legitimate parliament by the IPU and the international community until the end of its mandate in 2000.

According to the complainant, all the members of parliament who were elected in the 1995 elections and did not agree to submit to the President were blacklisted and faced continuous harassment. The complainant asserts that, as a direct result of being blacklisted, Mr. Lebedko suffered repeated human rights violations every year between 1996 and 2020. In 1996, Mr. Lebedko allegedly received threats three times after his articles were published in the independent press. According to the complainant, on 10 February 1997, Mr. Lebedko was badly beaten in the lift of his apartment block by two unknown assailants, which he describes as an act of intimidation sanctioned by the Government in retaliation for his activities. The complainant alleges that numerous proceedings were brought against Mr. Lebedko for his alleged participation in the demonstrations of 14 and 15 March 1997, with several alleged irregularities violating his right to a fair trial. Mr. Lebedko allegedly faced heavy court penalties in 1999 for taking part in street protests, which the complainant described as reprisals for Mr. Lebedko's vocal international parliamentary activity, including speeches he gave on the floor of the United States Congress and at the OSCE Parliamentary Assembly. Some of these matters were the subject at the time of a collective complaint to the IPU Committee on the Human Rights of Parliamentarians. However, although the Committee had stated that the arbitrary actions against Mr. Lebedko and others had come in response to their parliamentary activities, the examination of the case was subsequently closed in the absence of the information required to proceed any further.

According to the complainant, after the end of his mandate in 2000, Mr. Lebedko continued to take an active role in the country's politics, including by organizing protests against reported voter fraud in the 2004 elections, when he was allegedly arbitrarily arrested and severely beaten by police, leaving him with fractured ribs. The complainant reports that, during the eruption of mass demonstrations for free and fair elections following the contested results of the presidential elections in August 2020, Mr. Lebedko was abducted, placed in a KGB pretrial detention facility, and later released without ever being charged.

The United Nations Human Rights Council has repeatedly expressed deep concern at the continuing violations of human rights in Belarus, which it found to be of a systemic and systematic nature, as well as the use of torture and ill-treatment in custody, the lack of response by the Government of Belarus to cases of torture and the lack of participation of opposition political parties in parliament.¹ In 2016, the OSCE concluded that, despite the admission of two "token" opposition members, the voting process was once again marred by procedural irregularities and a lack of transparency. In 2019, the two members of parliament mentioned above lost their seats, resulting in a parliament bereft of any kind of opposition. In September 2020, the UN Human Rights Council held an urgent debate on the situation in Belarus following the 2020 elections and adopted a resolution condemning the reported use of violence, arbitrary arrests and torture against hundreds of thousands of protestors.

¹ See also Resolution A/HRC/RES/38/14 of 16 July 2018 adopted at the 38th session of the UN Human Rights Council; Resolution A/HRC/32/L.10/Rev.1 of 28 June 2016; Resolution 29/17 adopted at the 29th session of the Human Rights Council (26 June 2015), A/HRC/29/L.12; and Resolution 26/25, 27 June 2014.

B. Decision

The Committee on the Human Rights of Parliamentarians

1. *Refers* to the collective case of Mr. Anatoly Lebedko and 11 other members of the 13th Supreme Soviet that was pending before the Committee between 1998 and 2000, and the case of Mr. Victor Gonchar, which is pending before the Committee;
2. *Notes* that the complaint was submitted in due form by a qualified complainant under section I.1.(a) of the Procedure for the examination and treatment of complaints (Annex I to the Revised Rules and Practices of the Committee on the Human Rights of Parliamentarians);
3. *Notes* that the complaint concerns a former member of parliament who was a sitting parliamentarian when several of the alleged violations to which he was subjected took place;
4. *Notes*, further, that the complaint concerns allegations of abduction, torture, ill-treatment and other acts of violence, threats and acts of intimidation, arbitrary arrest and detention, lack of fair trial proceedings, violation of freedom of opinion and expression, violation of freedom of assembly and association, arbitrary invalidation of the election of a parliamentarian, abusive revocation or suspension of the parliamentary mandate, impunity, and the right to take part in the conduct of public affairs; *considers* that these allegations fall within the Committee's mandate insofar as they are connected to the time when Mr. Lebedko was a parliamentarian and/or directly linked to the previous exercise of his parliamentary mandate;
5. *Considers*, therefore, that the complaint is admissible under the provisions of section IV of the Procedure; *decides* to reopen the case under the provisions of section IX, paragraph 26, of the Procedure; and *declares itself* competent to examine the case.