

Not a one step back. Repression continues in Belarus

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On 8 December, Belarusian president Alyaksandr Lukashenka signed the law on amnesty which had been announced several months earlier, on the occasion of National Unity Day on 17 September. According to the document, 4500 individuals sentenced to imprisonment will be released early and the sentences of another 4000 prisoners will be reduced by one year. The amnesty does not cover opponents of the regime who were incarcerated following the protests against the rigged presidential election in August 2020 or have been involved in any activity that the authorities view as 'political extremism'. On 6 September 2022, during a meeting discussing the planned amnesty, Lukashenka suggested that some proposals to reduce the sentences being served by his opponents, in particular those who "have understood their wrongdoing and showed remorse", were being considered. However, prosecutor general Andrei Shved suggested that political prisoners be excluded from the draft law completely. Ultimately, Lukashenka concurred with the suggestion from the prosecutor's office, but announced that it would be possible for convicts to submit individual pleas for pardon, addressed directly to the president.

According to the Investigative Committee of the Republic of Belarus, since 2020 Belarusian law enforcement agencies have opened almost 12,000 cases against the critics of the regime. According to the independent organisation Viasna, the number of political prisoners at present stands at 1439, but this figure is incomplete. The sentences passed have become more severe in recent months: for example, sentences ranging from 10 to 20 years' imprisonment were handed down to a group of human rights defenders who were allegedly organising a plan to overthrow Lukashenka's regime, and were detained in Moscow in April 2021, as well as several individuals accused of sabotaging the railways in autumn 2020. The harshest sentence passed so far for involvement in opposition activity (25 years' imprisonment) was handed down on 17 October 2022 to Mikalay Autukhovich, an opponent of the regime known for his radical views; he was convicted of high treason and of involvement in efforts to form a terrorist group which allegedly planned to carry out attacks on government representatives, among other charges. In addition, the Investigative Committee initiated proceedings *in absentia* against members of Sviatlana Tsikhanouskaya's interim cabinet, who are accused of political extremism, acting to the detriment of Belarus and other crimes, on the basis of an amendment to the Criminal Code adopted in July 2022. Other legal amendments have also been proposed, including tougher criminal sanctions for civilian and military officials, including the death penalty for high treason.

Commentary

- The exclusion of the regime's political opponents from this year's amnesty indicates that the authorities are not willing to ease up on the repression in any way. The present number of political prisoners is the highest in the history of independent Belarus. Furthermore, there are no indications that the ongoing evolution of Belarusian authoritarianism towards a fully totalitarian model can be reversed or stopped. The regime intends to intimidate society completely in order to prevent a renewed outburst of discontent. The methods it is using to discourage Belarusians from engaging in civil activity include extremely harsh sentences on the regime's "most dangerous" opponents (as viewed by the authorities) and widespread acts of repression, including for posting comments critical of the authorities on social networks. At the same time, the application of a new legal instrument, i.e. trial in absentia, to the opposition leaders in exile is a step towards formally designating Belarusian political migrants as traitors.
- The fact that the head of the Prosecutor General's Office Andrei Shved expressed his opposition in public to the idea of releasing even small groups of political prisoners is another sign of the increasing role, which the law enforcement sector has been playing in Lukashenko's closest circle since 2020. These people most likely fear that including political prisoners in an amnesty could undermine the legitimacy of continued repression, while at the same time challenging their own unprecedentedly extensive influence in the state structures. While the process of preparing the amnesty may have been prolonged because of internal debates regarding the amnesty's scope, the fact that ultimately it remains so limited indicates that the state security bodies have successfully reassured Lukashenko that the practice of continued total repression is legitimate. Therefore, in the short-term perspective, we should expect the regime to escalate its already oppressive policy towards its citizens. One sign of this trend is the proposal to introduce the death penalty for officials convicted of high treason.