

ベラルーシ

テーマ別：政府批判者

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1. 一般情報

ア 米国国務省「[人権状況報告 2020 年 ベラルーシ](#)」（2021 年 3 月 30 日）

Belarus is an authoritarian state. The constitution provides for a directly elected president who is head of state and a bicameral parliament, the National Assembly. A prime minister appointed by the president is the nominal head of government, but power is concentrated in the presidency, both in fact and in law. Citizens were unable to choose their government through free and fair elections. Since 1994 Alyaksandr Lukashenka has consolidated his rule over all institutions and undermined the rule of law through authoritarian means, including manipulated elections and arbitrary decrees. All elections subsequent to 1994, including the August 9 presidential election, have fallen well short of international standards. The 2019 National Assembly elections also failed to meet international standards.

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イ 記事「[ベラルーシ大統領選、現職のルカシェンコ氏が圧勝](#)」ジェットロ・ビジネス短信（2020 年 8 月 12 日）

ベラルーシ大統領選挙が 8 月 9 日に実施され、現職大統領のアレクサンドル・ルカシェンコ氏が 8 割を超える票を得て圧勝した。

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2. 人権状況

ア 米国国務省「[人権状況報告 2020年 ベラルーシ](#)」(2021年3月30日)

Significant human rights issues included: unlawful or arbitrary killings by security forces; torture in detention facilities and cases of cruel, inhuman, or degrading treatment or punishment by security forces; harsh and life-threatening prison conditions; arbitrary arrest and detention; political prisoners or detainees; serious problems with the independence of the judiciary; arbitrary or unlawful interference with privacy; serious restrictions on free expression, the press, and the internet, including violence, threats of violence, or unjustified arrests or prosecutions against journalists, censorship, site blocking, internet blockages, and the existence of laws regarding criminal libel, slander, and defamation of government officials; overly restrictive nongovernmental organization laws; substantial interference with the freedom of peaceful assembly and freedom of association, including the imposition of criminal penalties for calling for a peaceful demonstration and laws penalizing the activities and funding of groups not approved by authorities; restrictions on freedom of movement; inability of citizens to change their government peacefully through free and fair elections; restrictions on political participation, including persistent failure to conduct elections according to international standards; serious acts of corruption; lack of investigation of and accountability for violence against women; trafficking in persons; crimes involving violence or threats of violence targeting lesbian, gay, bisexual, transgender, or intersex persons; and restrictions on independent trade unions; and significant restrictions on workers' freedom of association.

Authorities at all levels generally operated with impunity and always failed to take steps to prosecute or punish officials in the government or security forces who committed human rights abuses.

3. 関連する政治組織等、政治活動／政府批判（労働運動含む）の取扱い

(1) 野党メンバーや平和的な反抗議デモの取扱い

ア 米国国務省「[人権状況報告 2020年 ベラルーシ](#)」(2021年3月30日)**Section 2. Respect for Civil Liberties, Including:****A. FREEDOM OF EXPRESSION, INCLUDING FOR THE PRESS**

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The government prohibits calls to participate in “unsanctioned demonstrations.” On March 12, a Minsk district court tried in absentia video blogger Uladzimir Tsyhanovich on charges of calling individuals to participate in an unauthorized mass event and sentenced him to 15 days of arrest....

On November 12, a court in Drahichyn fined a local resident 999 rubles (\$410) for calling to assemble in the city center on October 15. Police detained the resident on the same day. He was released, but the charges remained pending the result of court hearings.

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イ HRW 「ワールドレポート 2021 - ベラルーシ」 (2021 年 1 月 13 日)

Authorities launched hundreds of politically motivated criminal cases against political opposition members, protesters, and their supporters. In many cases they detained, beat, fined, or deported journalists who covered the protests and stripped them of their accreditation. They temporarily blocked dozens of websites and, during several days, severely restricted access to the internet.

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Governmental Crackdown on Peaceful Protests

Officials and police violently dispersed protests on August 9-12 in Minsk and other large cities, using excessive force and resorting to rubber bullets, stun grenades, and tear gas. Riot police detained almost 7,000 protesters and bystanders in four days, subjecting hundreds to torture and other ill-treatment and holding them in inhuman and degrading conditions. At least four protesters died as a result of police actions.

Former detainees described beatings, prolonged stress positions, electric shocks, and in at least one case, rape. Some had serious injuries, including broken bones, skin wounds, electrical burns, or mild traumatic brain injuries. Detainees said that police, riot police, and special forces picked them up off the streets, in some cases using extreme violence, then beat them in dangerously confined spaces in vehicles where they struggled to breathe. Some detainees alleged riot police officers threatened them with rape, in most cases while they were in transit. At least one man was raped with a truncheon.

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Arrest and Harassment of Opposition Members and Supporters

Starting in early summer, authorities launched more than 500 criminal cases against potential presidential candidates, their campaigns' team members, and peaceful protesters on false charges ranging from mass rioting to hooliganism. Authorities also launched criminal cases against businessmen and staff of companies that supported certain opposition presidential candidates and victims of police violence during the protests, including on charges of tax evasion and fraud. By November 15, at least 118 people remained in pretrial detention on these politically motivated charges.

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ウ フリーダムハウス 「世界の自由 2021 年版 - ベラルーシ」 (2021 年)

E Associational and Organizational Rights

E2 Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work?

Freedom of association is severely restricted. Registration of groups remains selective,

and regulations ban foreign assistance to entities and individuals deemed to promote foreign meddling in internal affairs. Few human rights groups continue to operate because of resource shortages and pressure from the authorities, and staff and supporters risk prosecution and fines for their activism. Activists involved in the 2020 prodemocracy movement have been arrested by the thousands, and many more have fled the country.

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エ **HRW** [「Belarus: Crackdown on Political Activists, Journalists」](#) (2020 年 1 月 30 日)

Police in Belarus have arbitrarily arrested journalists, bloggers, and political activists ahead of the August 9, 2020 presidential election and pressed charges against two potential candidates, Human Rights Watch said today.

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The authorities pressed criminal charges against two opposition presidential hopefuls, one of them a top candidate, and refused to register the candidacy of another top candidate. From May through July, police arrested at least 1,100 people for gathering peacefully on issues related to the election. Courts sentenced nearly 200 people to detention for up to 15 days, with some sentenced to multiple terms. They fined more than 300 others.

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オ **Bertelsmann Stiftung** [「BTI 国別報告 2020 年 - ベラルーシ」](#) (2020 年)

Executive Summary

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Repression of the opposition and independent media evolved throughout 2017. A few months after the protest activity was suspended, the government relaxed its pressure somewhat, and conditions for civil society improved slightly. However, in the second part of 2018, independent journalists were once again subject to state pressure due to the BelTA case.

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Political Participation

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Mass protests against Presidential Decree No. 3 (Prevention of Social Parasitism), held across the country, resulted in a government crackdown on March 25, 2017, traditionally celebrated by the opposition as the Freedom Day. However, obtaining permission for civil society activities proved easier the following year.

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カ [IRBC「クエリー回答 \[BLR105405.E\] : 市民連合党 \(UCPB, UCP\) のメンバーの取扱い」](#) (2016 年 1 月 12 日)

1.1. Coalition

According to European Forum, an organization founded in 1993 "by the social democratic parties and political foundations from EU countries," whose mandate is to promote democracy and solidarity in Central, Eastern and South Eastern Europe (European Forum n.d.), "[t]he [UCPB] Party [was] one of the two main members of the opposition coalition [-] The United Democratic Forces of Belarus [for the 2015 election]" (ibid. 13 Oct. 2015).…

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5. Treatment

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Belarus Digest further states that "[t]he government has used the tools of state coercion to demobilise, marginalise, or criminalise the opposition's activities" (16 June 2015). According to European Forum, in 2007 "the United Civic Party (UCP) and Belarusian Popular Front (BPF) [withdrew] 65 candidates from the election in protest over unfair electoral campaign conditions" (European Forum 13 Oct. 2015).

The European Forum indicates that Lyabedzka was "one of the oppositional leaders that was jailed as a result of the protests following the December 2010 parliamentary elections" (European Forum 13 Oct. 2015) [1]. Similarly, sources indicate that on 20 November 2015, the court of Central district of Minsk fined Liabedzka nine million Belarusian Ruble [approximately C\$674] for "active participation in the unsanctioned protest in front of the KGB [Committee for State Security] building on October 29" (Viasna 2 Dec. 2015; Charter97 20 Nov. 2015).

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キ [記事「ベラルーシで抗議デモ参加の学生 40 人拘束、警官と衝突」](#) CNN (2020 年 9 月 2 日)

ベラルーシの首都ミンスクで 1 日、ルカシェンコ大統領が 6 選を決めた先月の大統領選に抗議する学生のデモ隊が警察と衝突し、地元の人権監視団体によると、少なくとも 40 人が拘束された。同国では選挙に不正があったとして 4 週間抗議デモが続いている。

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ク [記事「ベラルーシ大統領選の野党候補者、隣国へ逃れる 不正訴える抗議デモの最中」](#) CNN (2020 年 8 月 12 日)

東欧ベラルーシの大統領選に現職の対立候補として臨んだスベトラナ・チハノフスカヤ氏が、同国を後にし、現在は隣国リトアニアにいたことが分かった。同氏の選挙陣営が 11 日に明らかにした。

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国内では選挙結果に対する抗議デモが発生。治安部隊がこれを鎮圧する事態となっていた。...

(2) 政府や当局者を批判する者の取扱い

ア 米国国務省「[人権状況報告 2020 年 ベラルーシ](#)」(2021 年 3 月 30 日)

Section 2. Respect for Civil Liberties, Including:

A. FREEDOM OF EXPRESSION, INCLUDING FOR THE PRESS

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Freedom of Speech: Individuals could not criticize the president or the government publicly or discuss matters of general public interest without fear of reprisal, including prosecution or forced exile. Authorities also prohibited displaying certain historical flags and symbols and displaying placards bearing messages deemed threatening to the government or public order.

Since May the government undertook significant steps to suppress freedom of expression. The government harassed bloggers and social media users, detaining some of them on short-term jail sentences. Others received longer sentences. For example, according to the Committee to Protect Journalists, in June authorities detained Syarhey Pyatrukhin and Alyaksandr Kabanau, two popular video bloggers on YouTube, and charged them with “participating in activities in clear disobedience to the legitimate requirements of the authorities.” Both men were known for their opposition political commentary.

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The law also limits free speech by criminalizing actions such as giving information that authorities deem false or derogatory to a foreigner concerning the political, economic, social, military, or international situation of the country. No individuals were identified as being charged under this law.

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イ フリーダムハウス「[世界の自由 2021 年版 - ベラルーシ](#)」(2021 年)

D Freedom of Expression and Belief

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution?

The use of wiretapping and other surveillance by state security agencies limits the right

to free private discussion. Private citizens often avoid discussing sensitive issues over the phone or via internet communication platforms, for fear that state security agents are monitoring conversations.

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(3) 反対派への出国の強制

ア 米国国務省「[人権状況報告 2020年 ベラルーシ](#)」(2021年3月30日)

D. Freedom of Movement

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Exile: The law does not allow forced exile, but sources asserted that security forces continued to threaten some opposition members with bodily harm or prosecution if they did not leave the country, particularly after the August 9 election. Some others were in self-imposed exile or were driven to the border by authorities and forced to cross.

4. 司法制度・刑事手続

ア 米国国務省「[人権状況報告 2020年 ベラルーシ](#)」(2021年3月30日)

The Ministry of Internal Affairs exercises authority over police, but other bodies outside of its control, for example, the Committee for State Security, the Financial Investigations Department of the State Control Committee, the Investigation Committee, and presidential security services, also exercise police functions. The president has the authority to subordinate all security bodies to the president's personal command. Lukashenka maintained effective control over security forces. Members of the security forces committed numerous abuses.

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5. 警察・治安部隊 (刑務所等の状況含む)

ア 米国国務省「[人権状況報告 2020年 ベラルーシ](#)」(2021年3月30日)

C. TORTURE AND OTHER CRUEL, INHUMAN, OR DEGRADING TREATMENT OR PUNISHMENT

The law prohibits such practices. Nevertheless, the BKGB, riot police, and other security forces, without identification and wearing street clothes and masks, regularly used excessive force against detainees and protesters. Security forces also reportedly mistreated individuals during investigations. Police regularly beat and tortured persons during detentions and arrests. According to human right nongovernmental organizations (NGOs) and former prisoners, prison authorities abused prisoners.

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Among the abuses documented were severe beatings; psychological humiliation; the use of stress positions; at least one reported case of rape and sexual abuse; use of electric shock devices and tear gas; and up to three days intentional deprivation of food, drinking water, hygiene products, the use of toilets, sleep, and medical assistance.

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There were widespread reports of rape threats and sexual abuse by government agents against both men and women, and at least one reported instance of rape against a detainee.

PRISON AND DETENTION CENTER CONDITIONS

Prison and detention center conditions remained poor, and in many cases posed threats to life and health.

Physical Conditions: According to former detainees and human rights lawyers, there continued to be shortages of food, medicine, warm clothing, personal hygiene products, and bedding as well as inadequate access to basic or emergency medical care and clean drinking water. Detainees reported that prison officials deliberately denied detainees access to food, water, hygiene products, and necessary medical care, sometimes for several days, as a form of retribution. Overall sanitation was poor. Authorities made little effort to prevent the spread of COVID-19 in prisons, but at the same time used COVID-19 as a pretext to restrict access to visitors and distribution of food, hygiene, and clothing parcels.

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6. 報道の自由

ア 米国国務省 [「人権状況報告 2020 年 ベラルーシ」](#) (2021 年 3 月 30 日)

Section 2. Respect for Civil Liberties, Including:

A. FREEDOM OF EXPRESSION, INCLUDING FOR THE PRESS

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The government prohibits the spread of “fake news” on the internet but did not enforce the prohibition against regular citizens.

Freedom of Press and Media, Including Online Media: Government restrictions limited access to information. State-controlled media did not provide balanced coverage and overwhelmingly presented the official version of events. Appearances by opposition politicians on state media were rare and limited primarily to those required by law during the presidential election campaign period. Authorities warned, fined, detained, interrogated, and stripped accreditation from members of the independent domestic media.

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By law, the government may close a publication—printed or online—after two warnings in one year for violating a range of restrictions on the press. Regulations also give authorities

arbitrary power to prohibit or censor reporting. The Ministry of Information may suspend periodicals or newspapers for three months without a court ruling. The law also prohibits media from disseminating information on behalf of unregistered political parties, trade unions, and NGOs. On October 1, the Ministry of Information suspended through December 30, the registration of one of the most read independent online news portals, *TUT.by*, as “a media network publication” after issuing four warnings concerning individual articles it published, including one that detailed accounts of the irregularities observers saw on election day. On December 3, the Economic Court of Minsk ordered removal of its official media status effective in January 2021. The organization planned to appeal, but it could not maintain its status during the appeal process.

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Libel/Slander Laws: Libel and slander are criminal offenses. The law provides large fines and prison sentences of up to four years for conviction of defaming or insulting the president. Penalties for defamation of character make no distinction between private and public persons. A public figure who is criticized for poor performance while in office may sue both the journalist and the media outlet that disseminated the critical report for defamation.

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National Security: Authorities frequently cited national security to arrest or punish critics of the government or deter criticism of government policies or officials. For example, on September 9, authorities detained lawyer Maksim Znak, a member of the presidium of the Coordination Council. He was charged with “calling for actions aimed at harming national security.” Other members of the Coordination Council were also charged with similar offenses. The case was widely believed to be retaliation for Znak’s political activism.

イ [HRW「ワールドレポート 2021 - ベラルーシ」](#) (2021年1月13日)

Freedom of Expression and Attacks on Journalists

The Belarusian Association of Journalists (BAJ) documented more than 500 incidents of harassment, detention, fines and temporary arrests of journalists from January through mid-November 2020....

Authorities targeted journalists who covered and livestreamed protests, detaining and charging them with participating in unauthorized mass events and illegal distribution of media products.

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Persecution of journalists escalated after the election. BAJ reported 54 instances of police brutality against journalists from August through the end of September.

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ウ フリーダムハウス [「世界の自由 2021 年版 - ベラルーシ」](#) (2021 年)**D Freedom of Expression and Belief**

D1.

The government exercises unrestricted control over mainstream media. The 2008 media law secures a state monopoly over information about political, social, and economic affairs. Libel is both a civil and criminal offense, and the criminal code contains provisions protecting the “honor and dignity” of high-ranking officials. The government owns the only internet service provider and controls the internet through legal and technical means. The official definition of mass media includes websites and blogs, placing them under the Information Ministry’s supervision. Most independent journalists operate under the assumption that they are under surveillance by the Committee for State Security (KGB). Journalists are subject to fines, detention, and criminal prosecution for their work. The government has used antiextremism legislation to curtail media activity.

エ Bertelsmann Stiftung [「BTI 国別報告 2020 年 - ベラルーシ」](#) (2020 年)**Political Participation**

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In 2018, the authorities implemented several measures limiting the influence of social and non-state media by banning anonymity on the internet. The new Law on Mass Media introduced mandatory identification for users posting materials on websites, including comments and forum posts. Apparently, the main objective was to reduce alternative information flows’ influence on public opinion. However, in light of the significant informational material coming from Russia, authorities also tried to strengthen national information security.

Independent media faced serious government persecution. In August 2018, popular independent news agencies (Tut.by and Belapan) were subject to a wave of searches and some journalists were detained in proceedings related to the so-called BelTA case – a criminal investigation into alleged unauthorized access to the paid services of the state-owned BelTA news agency. However, seeking to diminish the international resonance of this case, the authorities dropped charges against 14 of the 15 accused journalists, although they still had to pay a minimum of \$35,000 in fines. Early in 2018, opposition website Charter97.org was blocked in Belarus.

略称

ACCORD	オーストリア出身国・庇護研究ドキュメンテーションセンター
ACLED	武力紛争位置・事件データプロジェクト
AI	アムネスティ・インターナショナル
ARC	難民調査センター
BAMF	ドイツ連邦移民難民庁
CGRS	ベルギー難民及び無国籍者庁
CIA	米国中央情報局
CNDA	フランス庇護権裁判所
CRS	米国議会調査局
DFAT	オーストラリア外務貿易省
DIS	デンマーク移民庁
DRC	デンマーク・レフュジー・カウンセル
EASO	欧州難民支援局
FIS	フィンランド移民庁
HRW	ヒューマン・ライツ・ウォッチ
ICG	インターナショナル・クライシス・グループ
IDMC	国内避難民監視センター
IRBC	カナダ移民難民局
IRDC	アイルランド難民ドキュメンテーションセンター
ジェトロ	日本貿易振興機構
Landinfo	ノルウェー政府出身国情報センター
MRGI	マイノリティ・ライツ・グループ・インターナショナル
OECD	経済協力開発機構
OFPRA	フランス難民・無国籍庇護局
OHCHR	国連人権高等弁務官事務所
OSAC	米国海外安全保障評議会
RRTA	オーストラリア難民再審査審判所
RSAA	ニュージーランド難民地位不服申立機関
RSF	国境なき記者団
UKIAT	イギリス移民難民審判所
UNHCR	国連難民高等弁務官事務所
USCIRF	米国連邦政府国際宗教自由に関する委員会