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**Belarus: former Prime Minister narrowly escapes return to prison**

The highly controversial trial of former Prime Minister Mikhail Chigir has once again brought into question the independence of the judiciary in Belarus, Amnesty International said today at the conclusion of a 6-month trial.

Mikhail Chigir was sentenced today by the City Court in Minsk to three years imprisonment -- two of which were suspended -- for alleged abuse of power relating to a position he held as head of a bank before becoming Prime Minister in 1994.

He was originally arrested in March 1999 and released in November 1999, possibly as a result of growing international pressure. Due to the period he spent in pre-trial detention he will not serve the outstanding one-year sentence.

The Court also barred the 52-year-old former prisoner of conscience and leading opposition figure from holding political office. His participation in the planned elections could result in him serving the entire prison sentence.

"That this leading opposition figure should be banished from all political life cannot be a mere coincidence," Amnesty International said. "Nor can it be a coincidence that he was first arrested shortly after expressing his intention of standing as a candidate in the unofficial presidential elections planned for May 1999."

Amnesty International welcomes the decision not to impose a heavier prison sentence on Mikhail Chigir. "However, serious doubts remain as to the fairness of his trial," the organization said.

The organization believes that the highly politicized conditions prevailing in Belarus, in which the judiciary is so dependent on President Lukashenka, made it impossible for a political opponent, such as Mikhail Chigir, to receive a fair trial and has laid the judiciary open to grave abuse.

"We have repeatedly expressed concern about the lack of independence of the judiciary permitting the abuse of 'telephone justice', where court verdicts are determined beforehand," Amnesty International said.

"Mikhail Chigir is only one of a number of opponents of the President who appear to have been sentenced in this manner."

### *Background*

Amnesty International believes that it was inconceivable that Mikhail Chigir could get a fair trial in a country where the President had announced that he was personally overseeing the case. In August 1999 President Lukashenka reportedly told reporters that he was personally overseeing certain ongoing judicial cases, including that of former Prime Minister Mikhail Chigir, stating: "I have them under control, I am not going to allow any injustice there myself".

The organization's concerns about the judiciary's lack of autonomy from the executive are shared by international bodies such as the Human Rights Committee which in November 1997 stated that: "The Committee notes with concern that the procedures relating to tenure, disciplining and dismissal of judges at all levels do not comply with the principle of independence and impartiality of the judiciary".

The trial of Mikhail Chigir reinforces the impression that there exists a pattern of political persecution of opposition figures on charges of

*bribery, large-scale embezzlement, abuse of power or other alleged irregularities relating to their business interests.*

*In March 2000 Amnesty International was in Minsk to witness the sentencing of 34-year-old member of the dissolved parliament and political opponent of President Lukashenka Andrey Klimov to six years' imprisonment at a hard labour colony with confiscation of property. Various international representatives, who were present at the court hearing and had observed the trial, cast considerable doubt on the fairness of the trial and the final court ruling.*

*Vladimir Koudinov is another member of the dissolved parliament who is serving a long-term prison sentence, convicted of a charge relating to his former business interests. Like Andrey Klimov, he is a political opponent of President Lukashenka and as a deputy in the dissolved parliament he took a very active role in the attempt to impeach the president in November 1996. In August 1997 he was sentenced to seven years' imprisonment with confiscation of his property on the charge of bribing a police officer. The sentence was later reduced by one year in May 1999 in a general prison amnesty. Amnesty International believes that the charge may have been brought against him in order to punish him for his opposition activities and to silence a prominent figure who had spoken out against President Lukashenka. The organization also believes that Vladimir Koudinov did not receive a fair trial.*

*Amnesty International considers Andrey Klimov and Vladimir Koudinov to be prisoners of conscience and is calling for their immediate and unconditional release.*

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