

SITUATION IN LAW ENFORCEMENT AGENCIES OF BELARUS AND THE PROSPECTS OF WEAKENING THE MAIN SUPPORT BASE OF THE LUKASHENKO REGIME

Briefing paper by iSANS

20.11.2020

Assessment of the current situation

The most numerous in terms of personnel from the law enforcement agencies of the Republic of Belarus is certainly the Ministry of Internal Affairs, which, along with the police itself, also includes internal troops. According to unofficial data, the Ministry of Internal Affairs employs 130,000 people. It is impossible to obtain a precise number as this information is classified. The Ministry of Internal Affairs is the backbone of the Lukashenko regime, and a change in the situation in its ranks can dramatically affect the political situation in the country as a whole.

According to information available, the outflow of personnel in the Ministry of Internal Affairs and other law enforcement agencies began during the presidential election campaign and continues to this day. Employees began to quit after Lukashenko used the arsenal of security bodies and the Central Election Commission (both under his full control) to prevent the alternative candidates from participating in elections. To do this, they initiated criminal cases, arrested undesirable candidates and their teams, de-facto banned public gatherings and pickets, rejected signatures collected for candidates, etc. Some employees of the Ministry of Internal Affairs did not come to work on 9 August, the election day.

The main outflow of personnel from the security forces began after the falsification of elections and the beginning of an unprecedented use of force against peaceful protesters. There is information available regarding resignations in such security agencies as the Ministry of Internal Affairs, the KGB, the Ministry of Emergency Situations, the Investigative Committee, the prosecutor's office, courts, and the armed forces. Already at the end of August, the Main Personnel Department of the Ministry of Internal Affairs received more than 300 applications for resignation from its officers. Staff loss continued in September but decreased significantly afterwards. As of 1 November 2020, in all district offices of Internal Affairs in Minsk the average shortage was 18.1 percent while in the Central District Office it reached 28.9 percent. The resignation of employees was also facilitated by the creation of solidarity funds to assist former security officials as well as by moral support of the society.

However, there are many constraints that prevent more massive resignation of the law enforcement employees and their distancing from the regime's crimes:

- many employees have unpaid bank loans;
- often, their spouses do not work or are on maternity leave;
- they lack a civilian profession;
- they face difficulties with finding a job with decent salary due to the poor situation in the economy;
- contracts for service in law enforcement agencies have a binding nature. By law, these contracts cannot be terminated unilaterally at the request of an employee; dismissal is only possible by an agreement of the parties or for a certain violation. Superiors often turn down applications for a dismissal by agreement of the parties, and then dismissal is possible only for absenteeism. In this case, the

dismissed employee has an obligation to return significant funds spent by the state on training and paid under the contract.

Many officers of law enforcement agencies do not imagine themselves working in civilian professions, because they graduated from educational institutions of the Ministry of Internal Affairs, the KGB and the armed forces and do not have civilian professions. Rank-and-file policemen and sergeants join the Ministry of Internal Affairs immediately after serving in the army, also having no experience in civilian professions.

All these factors significantly reduce the outflow of personnel from law enforcement agencies, despite the disagreement of many employees with the criminal orders of their superiors.

Beyond any doubt, there are still many employees in the security forces of Belarus who do not agree with the policy of the current regime and who, under certain conditions, can go over to the side of the people. According to an unofficial estimate, only in the Central office and regional departments of the Ministry of internal Affairs there are up to 80% of such employees. They try to carry out their work honestly, sabotaging criminal orders as much as possible. In each division of the Investigative Committee there are employees who have submitted letters of resignation, but due to a large shortage of personnel, they are not dismissed but are not permitted to investigate political criminal cases.

Seeing the current situation, the regime began to carry out repressions against dissident law enforcement officers. Firstly, they targeted those who gave their signatures in support of alternative candidates during the presidential elections. In the central office of the Investigative Committee alone, 40 such people were identified and subsequently dismissed. Two departments of the central office of the Committee were left practically without staff. 700 such employees have been identified in the Ministry of Internal Affairs as well, and the process of their dismissal is now underway.

These repressions contribute to the strengthening of negative perception of the current government by law enforcement employees. In addition, the media widely covered the facts of harassment and prosecution of retired employees who previously held senior positions (e.g., Head of the Department of Traffic Safety of the Minsk Region, Head of the Criminal Investigative Department of the Zavodskoy District police department, head of the temporary detention facility in Vitebsk).

The situation is complicated by the Covid-19 pandemic. As of 6 November 2020, in the Municipal Department of Internal Affairs of the Minsk City Executive Committee alone, 171 people were undergoing treatment for coronavirus infection (including the 1st Deputy Head of the Municipal Department of Internal Affairs, a second Deputy Head of the Municipal Department of Internal Affairs, and two heads of District Offices). 1122 people have recovered by this date. Minsk riot police (OMON) suffered the greatest with at least 15 people infected. The commander of the OMON at the Municipal Department of Internal Affairs, Dzmitry Balaba, is currently treated in the hospital of the Ministry of Internal Affairs.

These factors led to a significant shortage of personnel in law enforcement bodies. For example, in the Partizansky District Court of Minsk only two judges remain out of 8.

The crime detection rate has fallen significantly. As of 9 November 2020, the average detection rate in the Main Directorate of Internal Affairs was 43.7 percent of the total number of crimes committed since the beginning of the year, although in previous years this figure was always within 60-70 percent. The number of offenses investigated by the criminal investigation department over 10 months of 2020 shows a decrease

of 18.6 percent when compared to the same period in 2019. And this is considering that the number of offenses registered by the criminal investigation department also decreased by 14.1 percent overall and up to 30 percent in Minsk.

The personnel are now busy with persecuting dissidents and dispersing protests. Employees of law enforcement agencies have been charged with the duties previously uncharacteristic for their work: painting over protest-related inscriptions, removing national white-red-white flags from public and private spaces, destroying memorials to the victims of police brutality, patrolling residential courtyards and office buildings of the Directorate of Internal Affairs. These functions increased their already high workload. For three months, mass protests with dozens and sometimes hundreds of thousands of protesters have been held every weekend, which does not let the law enforcement officers to have days off work and keeps wearing them down.

A new performance indicator has been introduced: the level of recovery of fines under Art. 23.34 of the Administrative Code (participation in illegal mass events), which now averages only 19-20 percent of all administrative detentions. Internal affairs bodies are currently inundated with administrative cases under Art. 23.34 of the Administrative Code. A third of them does not reach courts because the terms for bringing to administrative accountability has expired. From 2 to 8 November this year, in the Partizanskiy District Department of Internal Affairs of Minsk alone, 245 of 672 such cases expired.

The prospects of weakening the main support base of the regime

Taking effective measures to weaken law enforcement agencies as the main support base of the authoritarian Lukashenko regime is one of the key conditions for ending illegal state violence in Belarus and returning the country to a democratic path of development, along with the introduction of sanctions against the regime and the announcement of a complete political and economic boycott of the regime by the international community and the citizens of Belarus.

In order to successfully weaken the law enforcement support base of the regime and to stimulate law enforcement officers who have not committed crimes to take the side of the people, it is necessary to take the following steps as soon as possible:

- carrying out active information and explanatory work among employees of law enforcement agencies about their personal responsibility for the execution of criminal orders and imminent international prosecution for the crimes committed, on the one hand, and about the prospects of receiving financial and other support, including retraining for civilian professions, upon taking the side of the people, and/or guaranteeing reinstatement in the service of reformed law enforcement agencies after the transition of power;
- more active provision of substantial material assistance to employees who resigned and their families (now such support is insignificant);
- development of mechanisms for support, mutual assistance and solidarity by building an association of retired law enforcement officers within the By_Pol initiative;
- establishment of an international body to investigate the crimes of Belarusian security forces and beginning of its work;
- launching of international criminal prosecution and bringing to justice Belarusian security officers whose involvement in the commission of crimes was proved during investigations, as well as application of personal sanctions against them, including visa ban and asset freeze.