

PUBLIC

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To: Health professionals
From: Medical office / Western CIS team
Date: 13 September 2001

MEDICAL LETTER WRITING ACTION

**Call for the release of medical academic
Professor Bandazhevsky, Belarus**

Key wordsphysician / unfair trial / prisoner of conscience / ill-health

Summary

On 18 June 2001 Professor Yury Bandazhevsky, a medical academic specialising in nuclear medicine, was sentenced to eight years' imprisonment. In addition, the Belarusian authorities confiscated his property and prohibited him from assuming any managerial and political functions for the first five years after his release. Amnesty International believes that his conviction on charges of receiving bribes from students is related to his scientific research into the Chernobyl nuclear reactor catastrophe of 1986 and his open criticism of the state authorities. The organization considers him to be a prisoner of conscience and is calling for his immediate and unconditional release from his current imprisonment in Minsk.

Addresses & recommended actions

I. Addresses of Yury Bandazhevsky and his wife

Please send Professor Bandazhevsky and his wife Galina Bandazhevskaya your well-wishes in these difficult times. You can write to Yury and Galina Bandazhevskaya in Russian/English/French. It is possible to send registered newspapers and books (max. 1 kg) to the prison. Please do not send any parcels. Professor Bandazhevsky is only allowed three parcels per year which his wife prepares with the necessary products he needs (if he receives other parcels her packages may be rejected).

Professor Yury Bandazhevsky

Belarus
220600 g. Minsk
Ul. Kalvariyskaya, 36
P.O.Box 35 -21
Bandazhevskomu Yu.I.

Galina Bandazhevskaya

Belarus
g. Gomel
Ul. Pushkinskaya 34, kv.16

II. Appeals to the Belarussian authorities

Please write letters in English, Russian, French, German or your own language on behalf of Professor Bandazhevsky. Please use professionally-headed paper if you use this in your profession,

- introduce yourself as a member of the Amnesty International health professional network;
- call on the authorities for the immediate and unconditional release of Yury Bandazhevsky at the UZ 15/1 penal colony in Minsk, who Amnesty International considers to be imprisoned solely for the expression of his non-violent beliefs;
- ask for information about Professor Bandazhevsky's current state of health;
- urge the authorities to provide him with adequate medical care and treatment as necessary while imprisoned.

1) President of the Republic of Belarus

Alyaksandr Hryhoravich LUKASHENKA

Respublika Belarus

220016 g. Minsk

ul. Karla Marksa, 38

Administratsia Prezidenta

Respubliki Belarus

Prezidentu LUKASHENKA A.H.

Fax: +375 (172) 26 06 10 or +375 (172) 22 38 72 / e-mail: ires@president.gov.by

2) Minister of Justice of the Republic of Belarus

Gennady N. VARANTSOV

Respublika Belarus

220084 g. Minsk

ul. Kollektornaya, 10

Ministerstvo yustitsii Respubliki

Belarus

Ministru VARANTSOVU G.

Fax: +375 172 20 96 84

Tel: + 375 (172) 20 97 55

3) Minister of Internal Affairs of the Republic of Belarus

Vladimir V. NAUMOV

Respublika Belarus

220615 g. Minsk

ul. Gorodskoi Val, 4

Ministerstvo vnutrennikh del

Respubliki Belarus

Ministru NAUMOVU V.V.

Fax: +375 (172) 26-12-47

4) Minister of Foreign Affairs of the Republic of Belarus

Mikhail KHVASTOV

Respublika Belarus

220030 g. Minsk

ul. Lenina, 19

Ministerstvo inostrannykh del

Respubliki Belarus

Ministru KHVASTOVU M.

Fax: +375 (172) 27 45 21/23 99 18

5) Chairman of the Supreme Court of the Republic of Belarus

Valentin O. SUKALO

Respublika Belarus

220681 g. Minsk

ul. Lenina, 28

White Russia

Predsedatelyu SUKALO V.O.

Tel: +375 (172) 26 12 06 (reception)

Tel + Fax: 375 (172) 27 12 25

6) Head of Medical Staff

Please write to the head of the medical staff at the prison where Professor Bandazhevsky is being held,

- asking for information about Professor Bandazhevsky's current state of health;
- urging the authorities to provide him with adequate medical care and treatment as necessary while

imprisoned;

- urging the head of the medical staff at UZ 15/1 penal colony to ensure that the food provided for Prof

Bandazhevsky improves as he suffers from stomach ulcers and to ensure that he is allowed to receive more food parcels.

M.A. TUSHINSKY

Respublika Belarus

220600 Minsk

Ul. Kalvariyskaya, 36

Director of the Republican Hospital of the Ministry of the Interior

Tushinskomu M.A.

Copies of appeals

Please send copies of your appeals to the following three newspapers:

(1) Editor of Sovetskaya Belorussiya (Soviet Belorussia)

Respublika Belarus

220013 g. Minsk

ul. B. Khmel'nitskaha, 10a

redaktsiya gazety Sovetskaya Belorussiya

Glavnomu redaktoru

Tel/fax: (375) 172 32 14 32

(2) Belaruskaya Dyelovaya Hazeta

Pyotr Martsov

Respublika Belarus

220061 Minsk

Pl. Svobody 17-518

Tel/fax: (375) 172 23 71 18/26 78 77

e-mail: bdg@brm.minsk.by

(3) Belaruskaya Hazeta

Alyaksandar Valvachov

Republica Belarus

220030 Minsk

Pl. Svobody 17-303

Tel/fax: (375) 172 23 62 70/23 68 45

and to diplomatic representatives of Belarus accredited to your country.

If you receive no reply from the government or other recipients within two months of dispatch of your letter, please send a follow up letter seeking a response, referring to your previous letter(s). Please do not be discouraged by the possible lack of replies to your letters. They are noticed. Please check with the medical team if you are sending appeals after 15 December 2001, and send copies of any replies you do receive to the International Secretariat (att: medical team).

PUBLIC

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Date: 13 September 2001

MEDICAL CONCERN**Call for the release of medical academic
Professor Bandazhevsky, Belarus**

On 18 June 2001 Professor Yury Bandazhevsky, a medical academic specialising in nuclear medicine, was sentenced to eight years' imprisonment. In addition, the Belarusian authorities confiscated his property and prohibited him from assuming any managerial and political functions for the first five years after his release. Amnesty International believes that his conviction on charges of receiving bribes from students is related to his scientific research into the Chernobyl nuclear reactor catastrophe of 1986 and his open criticism of the state authorities. The organization considers him to be a prisoner of conscience and is calling for his immediate and unconditional release from his current imprisonment in Minsk.

Background

After a trial which took place over the course of four months in the city of Gomel on the Belarusian-Ukrainian border, the Military Board of the Belarusian Supreme Court found 43-year-old Yury Bandazhevsky guilty of allegedly taking bribes from students seeking admission to the Gomel Medical Institute, of which he is the former rector. Both before, during and after the trial Yury Bandazhevsky vociferously denied the charges against him, and expressed fear that he had been targeted by the state authorities on account of his scientific work.

Over the past four years Amnesty International has adopted a number of individuals as prisoners of conscience, who - like Yury Bandazhevsky - had spoken out against the Belarusian authorities and were subsequently convicted of alleged economic abuses and sentenced to extended periods of imprisonment. International and domestic human rights organizations which monitored these trials cast considerable doubt about their fairness (see *Belarus: Dissent and Impunity*, AI Index: EUR 49/14/00 and *In the Spotlight of the State: Human Rights Defenders in Belarus*, AI Index: EUR 49/005/2001).

Amnesty International expressed concern about the treatment of Yury Bandazhevsky, almost from the outset of his arrest by a group of police officers in the middle of the night in Gomel on 13 July 1999. At that time he was informed that the legal basis for his arrest was the presidential decree "On Urgent Measures for the Combat of Terrorism and Other Especially Dangerous Violent Crimes", a measure usually only used for the arrest of suspects engaged in violent crimes or "terrorism". Furthermore, in violation of their obligations under the International Convention on Civil and Political Rights¹, which require the Belarusian authorities to promptly notify an arrested person of the charges against them, the Belarusian authorities did not formally charge Yury Bandazhevsky until 5 August 1999, nearly four weeks after his arrest. He was eventually informed that he was charged under Article

¹Article 9 (2) of the ICCPR states: "Anyone who is arrested shall be informed, at the time of arrest, of the reason of his arrest and shall be promptly informed of any charges against him".

169 (3) of the Belarusian Criminal Code for allegedly taking bribes from students seeking admission to his research institute.²

Motivations Behind Yury Bandazhevsky's Prosecution

²Yury Bandazhevsky was eventually convicted under Article 430 (2) of the Belarusian Criminal Code for accepting bribes in large denominations with others with prior agreement.

A great deal of Yury Bandazhevsky's scientific work examined the effects of the radioactive fall-out of the Chernobyl nuclear reactor disaster of 1986 on people living in the region of Gomel.³ As the founder and rector of the Gomel Medical Institute, he had reportedly designed numerous large-scale scientific research projects into the causes of the diseases afflicting the population residing in the contaminated areas, particularly the impact of radioactive emissions on children.⁴ Yury Bandazhevsky had often been outspoken in his criticism of the reaction of Belarusian authorities to the disastrous impact of the Chernobyl catastrophe on the population's health, stressing the need to find innovative solutions to the problem. Prior to his arrest, he had written a report critical of the research being conducted into the Chernobyl incident by the Scientific and Clinical Research Institute for Radiation Medicine in Minsk. He had criticized the research methodology of this institute, which is part of the Belarusian Ministry of Health, and that 17 billion Belarusian roubles had been spent on research in 1998 which he considered had not produced any important scientific findings. He proposed in his report: "[a]n immediate revision of scientific programs, related to the alleviation of the consequences of the Chernobyl accident, in such directions able to produce actual results with economic value". At the time of his arrest police officers reportedly searched his home and confiscated Yury Bandazhevsky's computer, books and files relating to his scientific work.

Yury Bandazhevsky has not been the only scientist working on the effects of the Chernobyl disaster to have fallen foul of the Belarusian authorities. In 2000 Amnesty International learned of the harassment of 68-year-old Professor Vasily Nesterenko, the head of the independent Institute of Radiation Safety (Belrad), based in Minsk. Like Yury Bandazhevsky, Vasily Nesterenko is a well respected academic, who has reportedly authored over 300 scientific publications. He was reportedly one of the first scientists to be present at the site of the Chernobyl reactor after it exploded on 26 April 1986. Through its research work Belrad has sought to develop ways of assisting people living in contaminated areas, and reduce the related health risks. Vasily Nesterenko has repeatedly criticized the Belarusian Ministry of Health for the inadequate measures it has allegedly taken to counteract the negative effects of radioactive contamination on the population's health. He has also stated that the levels of radiation among the Belarusian population in the contaminated areas are significantly higher than those levels to which the Ministry of Health admit. Amnesty International learned that at the end of June 2000 the Belarusian Ministry of Health attempted to prevent Vasily Nesterenko from undertaking further research into the levels of radiation in people, arguing that Belrad did not have the required licences to carry out such work. Vasily Nesterenko has stated that - like in the case of Yury Bandazhevsky - he believes the Belarusian authorities wish to hide the truth about the full extent to which radiation has harmed the health of the population.⁵

Conditions of Yury Bandazhevsky's imprisonment

During Yury Bandazhevsky's six months in pre-trial detention in 1999 his health deteriorated drastically, resulting in his hospitalization. He suffered from stomach ulcers, a condition which was reportedly exacerbated by the conditions of his imprisonment, and depression as a result of his predicament. Prof Bandazhevsky reportedly lost around 20 kilos during his 5 ½ months in pre-trial detention.

³The main city in the region, Gomel, has a population of approximately 500,000 people and is situated around 120 km from Chernobyl.

⁴ In the course of his career Yury Bandazhevsky is reported to have published around 200 scientific papers and articles and supervised numerous undergraduate and postgraduate research papers.

⁵It is worth noting, that after being released from six months' pre-trial detention in December 1999 and despite concerns about his health, Yury Bandazhevsky resumed his scientific work at Belrad before returning to Gomel to prepare for his trial, which began in February 2001. In this period he completed a number of scientific works, including a book in June 2000, which addressed the impact of the radioisotope, caesium 137, on human beings in the contaminated areas of Belarus, and the measures which can be taken to ameliorate its impact.

Amnesty International fears that his health may once again deteriorate during his current term of imprisonment in Minsk. His wife, Galina Bandazhevskaya visited him on 19 July 2001. They were allowed to talk by phone for two hours, seeing each other through a window. She stated that he was being held in a dormitory-type prison cell with around 150 other prisoners, sleeping in three-tiered bunk beds. He has been assigned a top bunk, where he is unable to sit and write, as the ceiling is too low. He said: "I write my letters on the toilet." There is no table or other furniture available and he keeps all his papers and letters in a bag. He is allowed to respond to letters but the delivery of his correspondence takes a long time because of prison checks. Yury Bandazhevsky received an initial parcel of 10 letters from Belarus (which had all been opened and read) one month after his imprisonment commenced. Galina urged all those that are able to write, be it only a couple of words, to write to her husband.

Galina has expressed concern that the adverse conditions of detention, particularly his poor diet, the lack of stimuli and severe difficulties for Yury Bandazhevsky to continue his scientific work, will adversely affect her husband's longer-term health. Galina Bandazhevskaya is only allowed to see her husband three times a year, when she is permitted to bring him a 30 kg food parcel to add to the poor provision of food in prison. Other inmates in the cell will often share food parcels, and thus the supply is finished rapidly. Galina's next visit will be in October 2001.

Amnesty International considers Yury Bandazhevsky to be a prisoner of conscience, imprisoned for exercising his right to freedom of expression, and is calling for his immediate and unconditional release.