

PUBLIC APPEAL

Belarus

Arbitrary detention of trade union activists

The case of Alyaksandr Yaroshuk

In recent years the trade union movement in Belarus has led a precarious life. Trade union activists have been obstructed, harassed and intimidated, culminating at the end of 2003 in short-term prison sentences for a number of activists whom AI considered to be prisoners of conscience.

In its 2003 Annual Survey of Violations of Trade Union Rights the International Confederation of Free Trade Unions (ICFTU) described the predicament of trade unions in Belarus in the following dramatic terms: "Democratic rights are not respected in Belarus, least of all trade union rights. The government has sought by every means to undermine, if not eliminate, the trade unions. Workers are actively discouraged from joining independent trade unions ... Those who do, face continual pressure at the workplace to leave the union or risk losing their jobs. Members of independent trade unions have been arrested for distributing trade union literature, have had materials confiscated and have been denied access to work sites ... Trade union leaders are particularly targets for harassment. Threats are taken very seriously in a country where political opponents to the regime have disappeared."

The imprisonment of Alyaksandr Yaroshuk



On 18 September 2003 Leninsky District Court in Minsk sentenced the President of the Belarusian Congress of Democratic Trade Unions, Alyaksandr Yaroshuk, to 10 days' imprisonment, provoking widespread protest in the international labour movement. The court found him guilty of contempt of court in violation of Article 166 (1) of the Belarusian Administrative Code. The alleged offence related to an article which Alyaksandr Yaroshuk had written in the independent newspaper, *Narodnaya Volya* on 21 August 2003.

Alyaksandr Yaroshuk, Minsk, January 2004. © AI

In the article Alyaksandr Yaroshuk criticized the decision of the Belarusian Supreme Court to close down the Trade Union of Air Traffic Controllers of Belarus. The offending article entitled "*A Pyrrhic Victory or the Chronicle of a Freefalling Trade Union*" cast doubt on the Supreme Court's impartiality, stating that the court hearing was "a show whose outcome was known in advance".

After being released 10 days later Alyaksandr Yaroshuk described the conditions of detention in which he was held at the Okrestina detention centre in Minsk, declaring that it was "no holiday camp". He reportedly stated: "There is complete isolation, a strict regime, and no outdoor exercise. Conditions are austere and cold. For three nights I did not sleep at night because of it. Due to the poor light in the cell it was not possible to read for any length of time."

Approximately one month later the Belarusian Congress of Democratic Trade Unions' lawyer, Vladimir Odynets, also experienced at first hand the conditions at the Okrestina detention centre. Vladimir Odynets, who had represented Alyaksandr Yaroshuk during his trial, was sentenced by a court in Minsk on 17 October 2003 to five days' imprisonment for alleged contempt of court. The court had accused Vladimir Odynets of failing to appear in court in connection with a complainant he was representing who had fallen ill on the day. The lawyer had reportedly not appeared in court because his client had informed the court of his illness and, according to the law, Vladimir Odynets could not represent him in his absence. Alyaksandr Yaroshuk commented on Vladimir Odynets' imprisonment, stating: "The arrest of the BCDTU lawyer is yet another chink in the chain of violations of trade unions' rights". Amnesty International considered both men to be prisoners of conscience.

TAKE ACTION NOW!

Urgent action is needed. Please write appeals calling on the Belarusian authorities to:

- ensure that Alyaskandr Yaroshuk will not be imprisoned or harassed by the police simply for his political beliefs and for peacefully exercising his right to freedom of assembly and that Vladimir Odynets will not be harassed for carrying out his functions as a lawyer;
- stop the deliberate pattern of obstruction, harassment and intimidation of trade union activists, including by imprisonment of activists; the threat of liquidation of independent trade unions and anti-trade union discrimination;
- immediately review laws, regulations and administrative practices relating to the registration and activities of independent trade unions in order that their establishment and free operation be facilitated in accordance with ILO obligations under ILO Conventions Nos.87 and 98 to which it is a party; to comply with the ILO Commission of Inquiry and to implement ILO recommendations;
- adhere to the principles of the UN Declaration on Human Rights Defenders (*Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms*, adopted by the United Nations General Assembly, 9 December 1998.)

Amnesty International is a worldwide movement of people who campaign to prevent and end grave abuses of the rights to physical and mental integrity, freedom of conscience and expression, and freedom from discrimination, within the context of its work to promote respect for all human rights. For more information see:
<http://www.amnesty.org>

Please write appeals to:

1) President of the Republic of Belarus

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E-mail: pres@president.gov.by

or send a letter directly from his web-site:

www.president.gov.by/eng/president/mail.shtml

2) Minister of Justice

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**3) Chairman of the Federation of
Belarusian Trade Unions**

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****Showing support and international solidarity to Belarusian trade union activists is one of the objectives of this action, please send a copy to Alyaksandr Yaroshuk, Belarusian Congress of Democratic Trade Unions, Partizansky Prospekt, Building 12A, room 7, 220070 g. Minsk, Belarus. Fax (375) 2-493179, E-mail: bcdu@mail.ru***