

# AMNESTY INTERNATIONAL PRESS RELEASE

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## **Belarus: Stop harassing independent trade unions and their activists**

Independent trade unions and their activists in Belarus are subject to a deliberate pattern of obstruction, harassment and intimidation by the authorities in their attempt to ultimately silence them, Amnesty International said today.

"Independent trade unions struggle to survive in a climate in which the authorities are stifling their activities by curtailing their rights to freedom of assembly and expression. In this they share the fate of all human rights defenders in the country," said Amnesty International.

The independent trade union movement in Belarus is coming under increasing pressure to conform with government policies - its members are under constant harassment, while its unions struggle to survive in an atmosphere where a disturbing number of non-governmental organizations have been closed on the basis of controversial legislation and regulations, widely considered as restrictive, by a judiciary whose independence has been repeatedly called into question by the international community. (See *Belarus: Stifling the promotion of human rights*, AI Index: EUR 49/004/2004)

There is compelling evidence that the right of association is violated in Belarus on a regular basis. The Belarusian and international trade union movement have highlighted the following violations of core conventions of the International Labour Organization (ILO):

- Trade unions have been subjected to a complicated bureaucratic system of registration;
- The Belarusian authorities have interfered in the internal affairs of the Belarusian trade union movement by imposing overly restrictive legislation on international trade union funding, deliberately manipulating trade union finances and interfering in trade union elections;
- Independent trade unions have been subjected to discrimination - independent trade union leaders have reportedly been dismissed from their positions, while trade union members have been pressurized to leave their trade unions.

Trade union leaders are particular targets for harassment, culminating at the end of 2003 in short-term prison sentences for a number of activists whom Amnesty International considered to be prisoners of conscience:

On 30 October 2003 the chair of the Belarusian Automobile and Agricultural Machinery Workers' Union, **Alyaksandr Bukhvostov**, was detained by police in the centre of the capital Minsk for staging a peaceful protest action against the government's alleged interference in the trade union's internal affairs. It was alleged that the Ministry of Industry had ordered enterprise managers to exert pressure on the local trade union structures in order to force them to leave the union and affiliate

with a government-sponsored trade union. Alyaksandr Bukhvostov organized the picket, which he saw as the only remaining option to protest against these alleged actions. On 30 October 2003 a court in Minsk sentenced him in a closed hearing to 10 days' imprisonment for staging an unsanctioned demonstration.

On 18 September a court in Minsk sentenced the President of the Belarusian Congress of Democratic Trade Unions, **Alyaksandr Yaroshuk**, to 10 days' imprisonment for contempt of court. The alleged offence related to an article which Alyaksandr Yaroshuk had written in the independent newspaper, *Narodnaya Volya*, on 21 August 2003, criticizing the decision of the Belarusian Supreme Court to close down the Trade Union of Air Traffic Controllers of Belarus.

Belarus is party to the two core Conventions of the ILO guaranteeing freedom of association - Conventions No. 87 and No. 89. The government is also party to the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, both of which provide for the right to freedom of association. Fundamental human rights and freedoms are guaranteed in its constitution. However, there is a gaping chasm between the government's stated commitment to protecting the rights of workers and the reality.

These gross violations of basic human rights have prompted international organizations which promote and defend trade union rights to launch their own investigations. In November 2003 the ILO established a Commission of Inquiry into ongoing violations of freedom of association. A similar step was taken by the European Commission in January 2004, when it opened an investigation into violations of core labour standards in Belarus. Furthermore, the UN Commission on Human Rights (UNCHR) at its 60th Session in Geneva (15 March - 23 April 2004) adopted a resolution on the human rights situation in Belarus in which it calls on the government to cease harassment of trade unions and established a Special Rapporteur on the human rights situation in Belarus.

Amnesty International appeals to the Belarus government to:

Ensure that trade union activists will not be imprisoned or harassed by the police simply for their political beliefs and for peacefully exercising their right to freedom of assembly;

Stop the deliberate pattern of obstruction, harassment and intimidation of trade union activists;

Immediately review laws, regulations and administrative practices related to the registration and activities of independent trade unions in order that their establishment and free operation be facilitated in accordance with ILO obligations;

Abide by its obligations under the ILO conventions and the international treaties to which it is party;

Comply with ILO Commission of Inquiry and implement ILO recommendations;

Ensure full and prompt implementation of the UNCHR's resolution and cooperate fully with the Special Rapporteur.

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