

URGENT ACTION

IMPRISONED TEENAGER DENIED MEDICAL CARE

Vladislav Sharkovsky is serving a 10-year prison sentence at a juvenile colony for a minor, non-violent drug offence. His health has been deteriorating since his arrest in March 2018, but he has been denied adequate health care by the prison administration and has been threatened with reprisals unless his mother stops complaining about his prison conditions. The authorities must urgently provide the health care he requires and protect him from any form of harassment or reprisals.

TAKE ACTION: WRITE AN APPEAL IN YOUR OWN WORDS OR USE THIS MODEL LETTER

Maj.-Gen. Oleg Matkin
Head of Penitentiary Directorate
Ministry of Internal Affairs
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Dear Head of Penitentiary Directorate,

I am concerned about the treatment of **Vladislav Sharkovsky** who is serving a 10-year prison sentence for a minor, non-violent drug-related offence in Penal Colony Number 22 ('Volchie Nory') in Ivatsevichi.

As far as I am aware, Vladislav Sharkovsky has developed health complications following his arrest and imprisonment, and has been suffering from headache, worsening cough, blurred vision and stomach pain for the last 14 months. Furthermore, he has developed a trauma after discovering the dead body of another teenager inmate who had committed suicide. Despite multiple requests, the prison administration has not provided him with the adequate medical and psychological care he requires.

According to his mother, on 22 April 2019 Vladislav Sharkovsky was pressured by prison officials to write a note stating that he did not require any medical assistance. It has also transpired that he has been threatened by the prison administration that he will face reprisals if his mother continues to complain about his prison conditions.

Vladislav Sharkovsky was 17 years old when he became a courier for an anonymous internet-based company which paid him for collecting and delivering packages. According to his indictment, he was distributing illegal drugs as part of an organised group, for which he was convicted and sentenced to 10 years in prison, under Part 4 of Article 328 of the Criminal Code. This is despite Vladislav Sharkovsky not knowing who his anonymous employer was, and despite the employer remaining "unknown" to the prosecution. Children who commit minor, non-violent drug-related offences should not be imprisoned. In Vladislav Sharkovsky's case, who was a child at the time of his offence, this means he should be immediately released and his criminal record cleared.

Vladislav Sharkovsky's right to a fair trial and his rights under the UN Convention of the Rights of the Child have been variously violated. Following his arrest, still a child, he did not have access to his family, nor to a lawyer until a day later, and during this time he was forced to sign a self-incriminating statement dictated by the investigating officer. The current failure to provide Vladislav Sharkovsky with adequate health care may amount to cruel, inhuman or degrading treatment or punishment.

I urge you to ensure that Vladislav Sharkovsky is provided with the health care he requires and protected from any form of harassment or reprisals.

Yours sincerely,

ADDITIONAL INFORMATION

On 16 March 2018, 17 years-old Vladislav Sharkovsky was arrested and accused of belonging to an organised group engaged in distributing illegal drugs. At the time, he was a courier collecting and delivering packages for an anonymous internet-based employer. On 4 September 2018 he was sentenced to 10 years in prison under Part 4 of Article 328 of the Criminal Code of the Republic of Belarus. The organiser or other members of the criminal group have not been identified, and Vladislav was the only member who has been prosecuted.

At the time of his arrest, Vladislav Sharkovsky was unwell and had high fever but was not provided with adequate medical care. His health has continued to deteriorate, in pre-trial detention and subsequently in the penal colony, but according to his mother he has not received adequate health care. On 8 March 2019, Vladislav Sharkovsky found the body of a teenager who had committed suicide in the penal colony and has been deeply traumatised by the incident. He has been unable to sleep well and has been suffering from nightmares since.

Belarus's approach to drugs is based on highly punitive laws and practice. No official statistics is available, but it is estimated that thousands of children and young people are serving lengthy sentences for minor, non-violent drug-related offences. In some cases reported to Amnesty International, those arrested have not willingly committed any crime but have been framed for non-cooperation with the drug-combating officials who tried to use them to incriminate others.

Children accused of drug-related offences face countless human rights violations from the moment they are detained, during the investigation and trial, and once they are sentenced, many are held in conditions that violate international law and standards.

The Convention of the Rights of the Child, to which Belarus is a state party, establishes that the arrest or detention of children must be a measure of last resort, and must be for the shortest appropriate period of time. The Committee on the Rights of the Child has consistently called on states to avoid the treatment of children as criminals for their use or possession of drugs and has recommended states not to subject children who use drugs to criminal proceedings. Moreover, the Committee has recommended states to consider alternatives to criminalization when dealing with children accused of having committed minor, non-violent drug-related offences.

PREFERRED LANGUAGE TO ADDRESS TARGET: Russian

You can also write in your own language.

PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL: 8 November 2019

Please check with the Amnesty office in your country if you wish to send appeals after the deadline.

NAME AND PREFERRED PRONOUN: Vladislav Sharkovsky (he/him)