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## BELARUS: TORTURE AND ILL-TREATMENT OF PEACEFUL DEMONSTRATORS BY THE POLICE, ARBITRARY ARRESTS AND PRISONERS OF CONSCIENCE

### **Amnesty International's concerns**

Amnesty International is concerned at the pattern of ill-treatment and imprisonment of members of the opposition, including during peaceful strikes and demonstrations in Belarus. The organization has repeatedly raised its concerns with the Belarussian authorities. However, Amnesty International is not aware of any steps taken by the government or the President of Belarus to stop the pattern of ill-treatment and imprisonment.

### **Background**

According to information received by Amnesty International, prisoners of conscience were among hundreds of protestors arrested after peaceful protests in 1998. On 22 March, between 20 and 50 men, women and children were arrested and beaten by police following a 10,000-strong peaceful demonstration in the capital, Minsk. The demonstration was held to mark the 80th anniversary of the declaration of an independent state of Belorussia (as it was formerly known). Those detained included journalists and members of the opposition Belarussian Popular Front (BNF), including Boris Khamaida and Vladimir Pleshchenka. A 15-year-old boy, Pavel Rakhmanov, was also arrested. Seven people were convicted of shouting censored slogans and insulting the President, but were not given custodial sentences. Five members of a local human rights group, the Belarussian Helsinki Committee, were among those detained. They were released after an hour.

On 2 April, on the first anniversary of the union treaty between Russia and Belarus, a large anti-government demonstration was forcibly broken up by police who arrested more than 50 protestors. Vyacheslav Sivchyk, secretary of the BNF, was arrested and reportedly severely beaten by police. He was subsequently hospitalized suffering from concussion. He stood trial on 3 April and was sentenced to 10 days' imprisonment under the Administrative Code of Belarus. Pavel

Severinets; leader of the BNF's Youth Front, was arrested and faced up to five years' imprisonment on charges of "instigating mass disorder", "organization or participation in group actions violating the public order" and "hooliganism". He was released on 2 June pending trial, on condition that he would not leave Minsk. Both Vyacheslav Sivchyk and Pavel Severinets were prisoners of conscience. Pavel Severinets' lawyer, Gary Pogonyailo, has been forbidden to participate in his defence, on the grounds that Gary Pogonyailo is not a member of the Collegium of Advocates of the Republic of Belarus. Amnesty International is calling on the authorities to reinstate all human rights lawyers, including Nadezhda Dudareva and Gary Pogonyailo, who have been disbarred solely because of their human rights activities (see AI Index: EUR 49/13/98).

Four other prisoners of conscience were arrested during the 2 April protest and charged with similar offences. Alyaksandr Kashenya and Ivan Abadovsky reportedly received sentences of 10 and 15 days' imprisonment respectively. Leonid Vasyuchenko and Dmitriy Vaskovich were reportedly also held in detention after the demonstration. Dmitriy Vaskovich was allegedly beaten in custody to force him to make a statement implicating Pavel Severinets and other detainees in wrongdoing.

More than 50 other people, about one third of them reportedly minors, were detained for several hours and in some cases overnight. Some were tried on 3 April on charges relating to their participation in an unauthorized demonstration and received administrative penalties. They were released after the court ruled either to fine them or to issue them with a warning.

Another peaceful demonstration was held on 25 April to commemorate the 1986 Chernobyl nuclear disaster. Following the rally, police reportedly arrested up to 40 demonstrators and allegedly beat some of them in detention. Among those arrested was fourteen-year-old Anton Taras. Police officers allegedly forced him to put on a gas mask he had worn during the rally, and then stopped the air supply in the mask until he began to suffocate, a torture method known as "elephant". No investigations were known to have been carried out into any of the allegations of torture or ill-treatment.

Restrictions on freedom of expression continued to lead to the trial of prisoners of conscience in 1998. In January Pavel Sheremet and Dmitry Zavadsky, Russian TV journalists, were sentenced to suspended prison terms of two and one-and-a-half years respectively (see *Amnesty International Report 1998*). They were convicted of conspiracy and violating the state border. Pavel Sheremet was also convicted of "exceeding his professional powers as a journalist resulting in a damage to the public interest".

Two prisoners of conscience, nineteen-year-old Aleksey Shidlovsky and sixteen-year-old Vadim Labkovich, both members of the youth branch of the opposition BNF, were detained and sentenced in 1998, on charges of "malicious hooliganism" under Article 201(2) of the Belarussian Criminal Code and "abuse of state symbols" under Article 186. On 24 February the Minsk Regional Court sentenced Vadim Labkovich to one-and-a-half year suspended prison term and Aleksey Shidlovsky to one-and-a-half years' imprisonment in a strict regime colony. Vadim Labkovich's sentence was suspended due to the fact that he was underage at the time of his arrest.

On 25 August 1997 police in the Belarussian town of Stolptsy detained Aleksey Shidlovsky, and Vadim Labkovich two days later on 27 August, for allegedly participating in writing anti-presidential and anti-government graffiti on the walls of various public buildings, and for allegedly replacing the national red-green flag of Belarus on top of the town administration building with the banned red-white national flag, a symbol of the opposition and of the BNF. It was reported that during a search of Vadim Labkovich's home on 28 August 1997, police found and confiscated two white-red flags. Both of them were held in detention for almost six months until they stood trial in February 1998. There were reports that while in detention in the pre-trial detention centre (SIZO) in the town of Zhodino, Aleksey Shidlovsky were severely beaten by the prison guards and as a result he spent a month in the prison medical ward.

Other prisoners of conscience included businessmen Andrey Klimov, Vasilij Starovoitov and Vladimir Kudzinov, former members of parliament from the 13 Supreme Soviet, dissolved by President Lukashenka, who were imprisoned on charges of bribery and other alleged irregularities in their businesses. In September there were reports that Vladimir Kudzinov was ill-treated by the prison authorities in Minsk colony UZH 15/1. Amnesty International believes that they were imprisoned for speaking out against the policies of President Lukashenka. 75-year-old Vasilij Starovoitov had been in pre-trial detention since November 1997. According to information from the Belarussian Helsinki Committee, his health has rapidly deteriorated in detention and at present his condition is allegedly posing a threat to his life. He is not given adequate medical care. A court hearing into his case began on 30 November and Vasilij Starovoitov has been transferred to another pre-trial detention centre in the city of Bobruisk. According to reports the conditions of his detention at present amount to cruel, inhuman and degrading treatment.

#### **Amnesty International's recommendations**

- Amnesty International is calling for the immediate and unconditional release of all prisoners of conscience, including Aleksey Shidlovsky, Andrey Klimov, Vasilij Starovoitov and Vladimir Kudzinov, and including any demonstrators detained solely for peacefully exercising their right to freedom of assembly, for prompt and impartial investigations into allegations of torture or ill-treatment, and for anyone responsible to be brought to justice.
- Amnesty International strongly supports the recommendations of the UN Human Rights Committee, which in 1997 recommended to the authorities of Belarus to take immediate steps to improve respect for human rights in the country (see *Concerns in Europe: July - December 1997*, AI Index: EUR 01/01/98). Amnesty International has repeatedly called on the Government and the President of Belarus to adopt a comprehensive action plan for the implementation of the Human Rights Committee's recommendations.