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Belarus: End reprisals against human rights defenders

The Belarusian authorities are conducting a targeted campaign of intimidation against civil society in an effort to silence all critics of the government. Following the disputed presidential election on 9 August 2020, hundreds of thousands of people across the country took to the streets to protest the announced result. Peaceful protests continue and reprisals against protesters continue too, with frightening regularity and increasing severity. Riot police have used unlawful force, detaining thousands of people. Allegations of torture and other ill-treatment in detention are widespread. Over 33,000 people have been arbitrarily arrested for taking part in peaceful demonstrations or voicing their dissent and an increasing number are being prosecuted under trumped up criminal charges and handed prison sentences.

Human rights defenders have played an invaluable role in documenting these violations, providing legal assistance, and advising people of their rights. The Belarusian authorities are now escalating pressure on human rights defenders by imposing unfounded criminal charges, opening bogus criminal investigations, and conducting raids and searches in retaliation for these defenders' legitimate human rights work. Some are in pre-trial detention or under house arrest and there are allegations they have been subjected to torture and other ill-treatment. The authorities have compelled lawyers for most of these activists to sign nondisclosure agreements that bar them from sharing any information about the investigation.

Office for the Rights of People with Disabilities

In January 2021, authorities targeted the Office for the Rights of People with Disabilities, and its director, Syarhei Drazdouski, and lawyer, Aleh Hrableuski, are now under house arrest and in pre-trial detention, respectively. The Office is a well-respected NGO that has been supporting people with disabilities by offering them legal advice and advocating for compliance with the Convention on the Rights of Persons with Disabilities.

On 21 January, the Financial Investigations Department of the State Control Committee of Belarus visited the office and the homes of Syarhei Drazdouski and Aleh Hrableuski simultaneously (allegedly to inspect the scene of the crime). They removed computers, phones and some documents. They also took statements from both men.

On 21 January, the Financial Investigations Department published a message on its official website launching a process of verification into the activities of the members of the Office for the Rights of Persons with Disabilities as a part of an investigation into "possible inappropriate acquisition of funds received in the form of charitable contributions and international support in the period from 2020 to the present for the purpose of providing assistance to Belarusian citizens with disabilities".

Syarhei Drazdouski commented in a Facebook post on 3 February:

"Allegedly we were financially supporting people accused of taking part in protest actions. In fact, we advised several victims [of human rights violations]—both people with disabilities and without—to seek help from lawyers." ¹

¹ <https://www.facebook.com/sergey.drozdovsky/posts/10215466325486424>

Allegations of torture and other ill-treatment

On 2 February 2021, Syarhei Drazdouski and Aleh Hrableuski were questioned for seven hours at the Financial Investigations Department. Their lawyers were not allowed to accompany them, and they were subjected to ill-treatment.

According to Syarhei Drazdouski, the interrogators, who did not introduce themselves, openly called him a “criminal, a fraudster, a liar and an accomplice”. While the interrogation was mostly conducted politely, several times other staff members came in and insulted and aggressively swore at him.

Aleh Hrableuski reported that, when he continued to refuse to give them the information they demanded, he was restrained, forcibly stripped naked and made to sit naked on a chair and not raise his eyes. Investigators eventually released him.

On 3 February 2021, both men were taken for questioning again, but this time Hrableuski was remanded in custody and Drazdouski was put under house arrest. Their lawyers were forced to sign non-disclosure agreements, as is increasingly the practice in Belarus, and very little information is available about the charges against them.

Viasna

On 16 February 2021, the Belarusian authorities carried out raids simultaneously throughout the country on the homes of staff and offices of Human Rights Centre Viasna, the Belarusian Association of Journalists and the independent trade union REP. The raids were carried out in Minsk, Homel, Mahilyou, Vitsebsk and Brest as part of unfounded criminal proceedings under Article 342 of the Criminal Code of Belarus (organization and preparation of actions that grossly violate public order), which the authorities have launched to target civil society activists, journalists and human rights monitors. According to Belarus’ Investigative Committee, the investigation is aimed at “establishing the circumstances of the financing of protest activities”.²

Dzmitry Salauyou

Dzmitry Salauyou, a human rights defender and member of the Board of Human Rights Centre Viasna, was among those whose homes were searched on 16 February. Special forces and officers from the Department for the Prevention of Organized Crime and Corruption, a police unit also involved in the harassment of protesters, broke down the door to his flat to enter and carry out the search. They confiscated computers and telephones and demanded that his wife tell them the password for her mobile phone. They threatened that if she did not comply, she would go to prison, and their 13- year-old child would be put in state custody. Dzmitry Salauyou was detained and alleges that he was beaten by special forces in the mini-bus on the way to the pre-trial detention centre. Subsequent medical reports documented head trauma consistent with being hit on the head, increased intracranial pressure and suspected damage to cervical vertebrae.

On 18 February, he was sentenced to 12 days’ detention on administrative charges for holding an “illegal picket”. The conviction was based solely on the fact that the building in which Dzmitry Salauyou lives has a concrete frieze depicting Belarus’ historical coat of arms, Pahonia, which has been adopted as one of the symbols of the protest movement. According to the judge, the Pahonia is considered a symbol of protest and could be considered evidence of “staging a one-person picket”. Dzmitry Salauyou told the court that the frieze had been installed when the house was built about eight years ago.

On 1 March, the day following his release, Dzmitry Salauyou was detained at Minsk airport as he was trying to leave the country with his family. The Investigative Committee interrogated him at their offices as a suspect in a criminal case under Article 342(2) of the Criminal Code of Belarus (‘training or other preparation of individuals to take part in group actions that gravely violate public order’), which carries a maximum sentence of two years’ imprisonment. He was released but is under travel restrictions. Both Dzmitry Salauyou and his lawyer were forced to sign non-disclosure agreements.

² <https://t.me/skgovby/3945>

Other members of Viasna accused of criminal offences

Marfa Rabkova, the youth coordinator of Human Rights Centre Viasna, was arrested on 17 September 2020, and has been in pre-trial detention ever since. On 25 September, she was charged under Article 293(3) of the Criminal Code of Belarus ('training and other preparation of people for participation in mass riots'), which carries a maximum prison sentence of three years. On 11 February 2021, she was also charged under Article 130(3) of the Criminal Code, ('incitement of racial, national, religious or other social hatred or discord committed by a group'), and under Article 285 (2) of the Criminal Code ('membership of a criminal organization') which carries a maximum sentence of 12 years' imprisonment.

Andrei Chepyuk, a volunteer for Human Rights Centre Viasna in Minsk, was detained on 2 October 2020 and on 9 October he was charged under Article 293(2) of the Criminal Code of Belarus (participation in mass disorder). On 28 January 2021, it became known that he is also charged under Article 285(2) of the Criminal Code ('membership of a criminal organization'). He is being held in pre-trial detention centre No.1 in Minsk.

Tatsyana Lasitsa, an activist who volunteers for Human Rights Centre Viasna in Homel, was detained on 21 January. She had assisted with the legal defense of people detained and fined for their participation in protests. She has been charged under Article 342 (1) and (2) of the Criminal Code of Belarus ('organization or participation in group actions that gravely violate public order'). She is being held in the pre-trial detention centre in Homel.

Leanid Sudalenka, the director of the Homel branch of Human Rights Centre Viasna, was detained on his way to the office on 18 January 2021. He has been charged under Article 342 of the Criminal Code ('organizing and preparing actions that gravely violate public order or active participation in such actions'). Sudalenka had provided legal assistance to dozens of Homel region residents who were detained and charged for their participation in post-election protests. He is being held in pre-trial detention in Homel. In 2019 he was awarded two prizes for his human rights work over 20 years, the French prize Freedom Equality and Brotherhood, and a National Belarusian Prize as Human Rights Defender of the Year.

We call on the Belarusian authorities:

- To abide by their international human rights obligations as a party to the International Covenant on Civil and Political Rights to respect the rights to freedom of association, peaceful assembly and expression of all people in Belarus.
- To fully respect and protect the work of human rights defenders and ensure that everybody has the right to complain about the policies and actions of individual officials and government bodies and to offer and provide professionally qualified legal assistance or other relevant advice and assistance in defending human rights and fundamental freedoms.
- In line with these obligations, to release Marfa Rabkova, Andrei Chepyuk, Tatsyana Lasitsa, Leanid Sudalenka, Syarhei Drazdouski, and Aleh Hrableuski immediately and unconditionally as they have been detained for their legitimate human rights work, drop charges against them and ensure their right to a remedy for unfounded criminal prosecution.
- To comply with their international human rights obligations under the UN Convention against Torture and carry out prompt, independent and impartial investigations into the allegations of torture and other ill-treatment by Syarhei Drazdouski, Aleh Hrableuski, and Dzmitry Salauyou
- To comply with their international human rights obligations under the UN Convention on the Rights of Persons with Disabilities, including the rights of all persons deprived of their liberty to reasonable accommodations and the right to effective access to justice on an equal basis with others, including through the provision of procedural accommodations in all legal proceedings, including at investigative and other preliminary stage.

Signed:

Amnesty International
FIDH
Front Line Defenders
Helsinki Foundation for Human Rights
Human Rights House Foundation
Human Rights Watch
International Media Support (IMS)
International Partnership for Human Rights (IPHR)
Norwegian Helsinki Committee
People In Need