



HUMAN RIGHTS HOUSE  
FOUNDATION

Oslo, Geneva, Vilnius, 13 January 2011

## **Belarus: on-going human rights violations in the aftermath of the elections in December 2010**

### **Information to the Special Rapporteurs on the Situation of Human Rights Defenders and on the Promotion and Protection of the Right to Freedom of Opinion and Expression**

**The Human Rights House Foundation sends this information to add on the information the Special Rapporteurs have already received on human rights violations in the Republic of Belarus on 19 December 2010, the day of the Belarusian presidential elections, and the days after.**

#### **General overview of attacks and detention of journalists**

In addition to human rights defenders, activists and opposition members, dozen of **journalists** and media workers, including members of the Belarusian Association of Journalists (BAJ), were **detained and arrested for 10-15 days** after the Belarusian presidential elections of 19 December 2010. At least 19 were injured by the police forces<sup>1</sup>. The presence of press cards and official accreditations was not taken into consideration by the riot police officers during their clean-up operation in the Independence Square. Some journalists were released from custody when proving their identity.

In total, at least 24 journalists, including one Russian journalist from *Novaya Gazeta* and one correspondent from France Press were detained after the 19 December 2010. At least 21 journalists were injured or had their equipment broken, including one photo correspondent from Austria, two from the camera crew of the Russian television (Ren TV), one Russian journalist from Russia Today, one photojournalist from the *New York Times*, and one journalist from the Deutche Welle (see the attached list).

#### **Human rights defenders arrested, harassed, and NGOs raided**

Massive human rights violations were committed on 19 December and the following days with about **600 people** detained<sup>2</sup>. However, the harassment of human rights defenders continues, and there is continued pressure against human rights defenders and their organisations. Here we provide some of numerous relevant cases dated since 19 December 2010:

- On 19 December 2010, the Chairperson of the Belarusian Helsinki Committee and one of the leaders of the "Human Rights Defenders for Free Elections", **Aleh Hulak** was **detained** at the Independent Square in Minsk and kept over the night in a police van. He was released on 21

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<sup>1</sup> List of journalists detained and injured produced by BAJ: see the list attached:

<http://baj.by/m-p-viewpub-tid-1-pid-9557.html>

<sup>2</sup> <http://humanrightshouse.org/Articles/15632.html>



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December without any court trial. On 5 January the Belarusian State Security Service (KGB) officers **raided the office** of the Belarusian Helsinki Committee in Minsk and the apartment of Aleh Hulak.

- At around 3h on 20 December 2010, officers of the Ministry of Interior and officers believed to be from the **KGB raided the office of the Human Rights Centre Viasna** in Minsk. **10 people** present in the office at that time were **detained, and documentation and equipment was confiscated**. At around 7 am, some unidentified persons in civilian clothing attempted to break into the offices of the same organisation. The Human Rights Centre has appealed to the authorities to get an explanation for the search, but has not got any reply.
- At 4h on 20 December 2010, the Editor of the web portal **Charter97.org Natalia Radzina**, and **3 volunteers** were **detained** at the editorial office in Minsk. All three volunteers were sentenced to administrative arrests for participation in the unsanctioned event despite the fact that they did not participate in the rally of 19 December 2010. The web portal is founded by the presidential candidate Andrei Sannikov.
- On 21 December 2010, the Ministry of Justice of Belarus sent a request to the **Belarusian Association of Journalists (BAJ)** asking them to explain why the association had issued a statement against the “shocking fact of severe force used by the police against journalists and civil activists” on 20 December 2010. The Ministry has asked BAJ to explain which paragraph of the BAJ statutes allowed the association to appeal on behalf of “civil activists” apart from journalists. The Ministry of Justice has sent a new request to BAJ in the beginning of January the vice president Andrei Bastunets and the chairperson Zhanna Litvina have been summoned for interrogations on the 12-13 January.
- On 25 December 2010 the **Minsk bureau of European Radio for Belarus** was **raided** by unidentified plainly clothed agents. Those agents seized the office equipment. Deputy Editor-in-chief **Vital Zyblyuk** was given an unsigned copy of search warrant. According to Vital Zyblyuk, the search was carried out in absence of editorial staff members.
- On 26 December 2010, the State security agents broke into the office of “**Belsat**” **independent television** in Minsk. They used an electric saw to open the door. The “Belsat” official representative in Minsk, Mikhas Yanchuk, said the journalists had taken the equipment and left the premises several days before.
- At 18h50 on 29 December 2010, KGB officers **raided** the office shared by **Belarusian PEN Centre** and the private weekly **Nasha Niva** in Minsk. Presidential candidate Vladimir Nekliaev, who is detained, is the honorary Chairperson of the Belarusian PEN Centre. The officers were refused to enter until the deputy Chairperson of the Belarusian PEN Centre and editor-in-chief of *Nasha Niva*, Andrey Skurko, arrived to the office. The five plainly clothed men followed Mr. Surko into the office, telling journalists to stay outside. According to Mr. Surko, the officers were looking for the photographic and video evidence of State symbols being dishonoured during the 19 December post-election demonstration in Minsk. Mr. Surko’s apartment was searched whilst he was observing the search in the office.
- On 29 December 2010, the KGB officers **searched** the **apartment** of the human rights defender **Alena Tankachova** in Minsk. The search was justified by a warrant issued with regard to the investigation of a criminal case over mass riots on 19 December 2010 in Minsk. KGB agents confiscated documents associated with her human rights activities and a German-number SIM-card for a mobile phone. Alena Tankachova could not reveal the details of interrogation to the media, since she signed a non-disclosure statement.
- On 4 January 2011, KGB officers conducted a **search** in the apartments of the democratic activist **Aliaksandr Piatkevich**. One **computer** and information carriers were **confiscated**.



- On 4 January 2011, the apartment of **Aliaksandr Barazenska**, journalist for the Polish satellite **TV channel BelSat**, in Minsk was searched from 6h to 8h. One **laptop** was **confiscated**. Aliaksandr Barazenska was taken for an **interrogation** to Sapiorau Street 7. He was released after several hours. Aliaksandr Barazenska was first time **arrested** on 21 December 2010 at the entrance of his house. At that time, he was brought to the Frunzenski District Police Department, where the police checked his passport data and released him.
- At 12h40 on the 4 of January 2011, a **search** was conducted by three KGB officers in the apartment of the human rights defender **Nasta Loika** in Minsk. Nasta Loika came to her house together with the human rights defenders Ales Bialiatski, Aleh Hulak and a representative of the Committee of International Control over the Situation of Human Rights in Belarus. Nasta Loika was brought to KGB office for an **interrogation** within the **investigation** of the so-called criminal case regarding the mass riot of 19 December 2010 in Minsk.
- On 4 January 2011, the apartment of one of the leaders of the movement of entrepreneurs, **Ales Makayeu**, was **searched** by KGB officers and **system unit confiscated** in Minsk. Ales Makyesu was requested for **interrogation** at the KGB office on 5 January. Prior to that, he was **arrested** for 15 days for the participation in events of 19 December 2011.
- On 4 January 2011, the flat belongings to a youth activist **Andrei Prasniak** was searched without his presence. KGB members **confiscated** his laptop, 26 CDs and 140 badges *Pillow Fight*.
- On 4 January 2011, the KGB officers sought for the leaders of the **Free Theatre of Belarus**, **Natallia Kaliada** and her husband **Mikalai Khalezin**. They examined their apartment and were interested in their whereabouts, and how they managed to leave the country. In addition to their touring in New York, Natallia Kaliada and Mikalai Khalezin plan to hold a number of meetings with politicians, community leaders and artists.
- On 5 January 2011, the Ministry of Justice **revoked the license of the lawyer Valentina Busko** based on the alleged accusation of participating at the unsanctioned rally on 19 December 2010. She was **arrested** and convicted for 10 days of administrative arrest.
- On 5 January 2011, attorney of Minsk City Bar Association, **Pavel Sapelko**, was given a warning and was subject to **disciplinary action** by the Ministry of Justice for his allegedly inappropriate criticism to state authorities. The Ministry offered to consider the expediency of his staying a member of the Bar. He is a lawyer of the presidential candidate Andrei Sannikov.
- On 6 January 2011, the private apartment of Shumilina Zinaida Ivanovna was searched by 9 KGB officers. The apartment was used by the human rights activists **Leanid Sudalenko**, the graduate of the Human Rights House Network human rights education program Bring International Standards Home, **Vladimir Katsora** and **Anatoly Poplavni**. The officers **confiscated** all computers and other office equipments.
- On 6 January 2011, **Barys Kuchynski**, who served a 15-day **arrest** term for participation in the 19 December protest rally, was stopped by KGB officers outside his house and driven by their car. He was not informed of the reasons of his **detention** and was refused to leave the car.
- On 8 January 2011, the KGB officers visited the apartment of a KGB detainee **Dzmitry Bandarenka** and offered his wife **Volha Bandarenka** to cooperate. They asked her to influence her husband to **cooperate with the authorities**, promising he would be released on recognizance.
- On 8 January 2011, **Andrei Pachobut**, a **journalist for Gazeta Wyborcza** and a popular Belarusian blogger, was **detained** by special task forces in Hrodna, guarded to a KGB department, and **beaten** by KGB.



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- On 11 January 2011 KGB officers **searched** the apartment of the **journalist Larysa Shchyryakova** in Homel. The journalist is a member of the Belarusian Association of Journalists and works with a series of non-state media. The officers confiscated two PCs, a laptop, a dictaphone, notebooks and about 150 DVDs. Larysa Shchyryakova has also been summoned to the KGB administration for an interrogation on 12 January. Officers at the questioning.
- On 12 January 2011 investigators **searched** the apartment of **Zinaida Mikhniuk**, an activist of the **Trade Union of Radio Electronic Industry**. The investigators confiscated only a notebook with phone numbers of activists of the independent trade union. The computer equipment was confiscated from the trade union during the previous search.

### **Presidential candidates and opposition members detained and beaten**

Events of 19 December 2011 were followed by harassment and repression towards the oppositional candidates of the presidential elections and the members of the opposition parties. Many of them were detained and criminal cases against them and members of their official teams initiated under Article 293 of the Criminal Code of Belarus. It provides 5 to 15 years of imprisonment for organizing mass riots and 3 to 8 years imprisonment for participating in it.

- On 19 December 2010, **seven** of the ten presidential candidates were **detained**.
- At 19h of 19 December 2010, the presidential candidate **Vladimir Nekliaev** was **severely beaten** and later **kidnapped** from the hospital by civilian men. His whereabouts were not known for several days. On 10 January 2011 Vladimir Nekliaev was still held **in custody without proper medical treatment**.
- On 19 December 2010, the presidential candidate **Andrei Sannikov** was **beaten** in the Independence Square. He went into a car to drive off together with his wife and journalist **Iryna Khalip**, but were dragged out by the police and **detained**.
- On 20 December 2010, the presidential candidate **Vital Rymasheuski** was **beaten, detained** and kept in KGB prison. He was released on a written undertaking not to leave the country on 1 January 2011. He was banned to hold a press conference planned for the 4 January 2011.
- 5 presidential candidates, **Aliaksei Mikhalevich, Vital Rymasheuski, Vladimir Nekliaev, Andrei Sannikov and Mikalai Statkevich**, are **charged** with organizing and participating in mass riot. Apart from Vital Rymasheuski, the rest of them were still held in custody on 10 January 2011.
- Additionally, **20 persons** are **accused** of organizing and participating in the mass riots and facing criminal charges. Among them are the Belarusian correspondent for Novaya Gazeta Irina Khalip and the editor-in-chief of Charter'97 website Natallia Radzina. **15 persons** are **suspected** by the Belarusian authorities to be engaged in such activities, including 2 presidential candidates.

List of accused and suspected persons attached.

### **Students and a teacher of the European Humanities University (EHU) arrested and suspected of a criminal act**

- **10 students** and **1 teacher** of the EHU, who were present at the election observation and the demonstrations, were **arrested** and **sentenced** to 10 to 15 days in prison.

Attached, please find the letter sent by the Human Rights House Foundation and partners on this regard to the Belarusian authorities.



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- 2 students, **Nasta Palazhanka** and **Aliaksandr Atroshchankau**, and the professor and journalist **Aleksandr Feduta** are still held in custody, **suspected** of organizing and participating in mass riots and are subject to a possible criminal liability under Article 293 of the Criminal Code of Belarus, resulting in 5 to 15 years imprisonment.

Given the fact that authorities continue to harass human rights defenders and their organisations and search for reasons to arrest and detain those who are not in detention now, **we call for urgent action by the Special Rapporteurs towards the Belarusian authorities to request that:**

- Human rights defenders, journalists, members of the opposition and students are not harassed because of their opinions and their raised voice;
- Impartial investigation of the incidents and fair trials, based on international standards, are ensured;
- Proper medical care of detained persons and their right to access lawyers is ensured;
- The right of Belarusian people to safely exercise their civil and political rights guaranteed by the Constitution of the Republic of Belarus and the international treaties such as the International Covenant of Civil and Political Rights to which Belarus is a signatory, is ensured;
- Safe operation of human rights defenders in Belarus without harassment and persecution, as guaranteed in the UN Declaration of Human Rights Defenders, is ensured.

Documentation prepared by the Human Rights House Foundation, with the Belarusian Human Rights House in exile in Vilnius (Republic of Lithuania), based on information received from our partner organisations, Belarusian Journalists Association, the Human Rights Centre Viasna and the European Humanities University.

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***About the Human Rights House Network ([www.humanrightshouse.org](http://www.humanrightshouse.org))***

*The Human Rights House Network is a forum of cooperation between established and emerging Human Rights Houses, uniting 70 NGOs in 15 countries in Western Balkans, Eastern Europe and South Caucasus, East and Horn of Africa, and Western Europe. HRHN's aim is to protect, strengthen and support human rights defenders and their organizations. The Human Rights House Foundation, based in Oslo (Norway) and Geneva (Switzerland), is the secretariat of the Human Rights House Network.*