

The information is aggregated from open online resources and our own practice. In these newsletters, we will shortly update you on everyday human rights violations in numbers and facts.

Summary, Monday-Wednesday, September 13-16:

Surrealistic legal practice continues in Belarus.¹ Daily detentions of civilians, journalists, activists continue.² More than a month has passed since the start of protests against the results of the presidential election on 9 August. The list of those who died during and in the results of the protests includes Alexander Taraikovsky (Minsk), Alexander Vikhor (Gomel) and Gennady Shutov (Brest). Journalists asked the Investigative Committee if criminal cases were already initiated on these cases. The official representative of the Investigative Committee, Yulia Goncharova, replied: "If information appears and the investigation finds it possible to make it public, we will make sure to do so on our resources."³

No investigations on the facts of tortures have been open so far. As well the Investigative Committee stated that it has not received any claims on incidents of rape by police officers during protests.⁴

458 administrative court hearings took place. The total amount of fines is 4572 basic units for 280 people (47478 USD), 164 people were arrested.⁵

The 47 HRC Member States decided to hold an urgent debate on the HumanRights situation in Belarus on **18 September** 2020.⁶

The European Court of Human Rights is considering an application for interim measures in the case of Vitaly and Vladislav Kuznechikov, who have been seeking refuge status on the premises of the Swedish Embassy in Minsk for the last six days.⁷

On Monday:

Six journalists were detained: photographer Aliaksandr Vasyukovich, Tatiana Gargalyk, freelance photojournalist for the tut.by portal, Vladimir Gridin, Belsat TV channel employee

¹https://mediazona.by/news/2020/09/15/advokat-kak-namerenie?fbclid=IwAR3B4yPNJSuRhqh7XVROSy3Y72ecF70cr9CYcS5_mhOuiUD96fXutJiErtA

²<https://sputnik.by/incidents/20200914/1045678279/MVD-Belarusi-otchitalos-o-zaderzhannykh-v-khode-voskresnykh-aktsiy.html>

³ <https://news.tut.by/society/700447.html>

⁴<https://sputnik.by/incidents/20200916/1045693577/MVD-net-ni-odnogo-fakta-iznasilovaniya-so-storony-sotrudnikov-militsii.html>

⁵ <https://spring96.org/persecution?JDateFrom=2020-09-14&JDateTo=2020-09-16>

⁶ https://twitter.com/UN_HRC/status/1305431167894683648?s=20

⁷ <https://news.tut.by/economics/700729.html>

Artem Lyava, Dmitry Pankovets, deputy editor-in-chief of the Nasha Niva website and editor-in-chief of the dev.by website Natalya Provalinskaya. Sergei Kondratenko, the press secretary of the union of the Belarusians of the world “Batskaushchyna” was also detained”.⁸

The police detained Denis Kolyada, the former legal adviser of the Ministry of Finance. He had previously gone on strike and then resigned in protest against the brutality and violence following the elections.⁹

Information about torture of a 21-year-old university student, who was brutally detained in the evening of September 12 near the Victory Square metro station in Minsk became public. After a trip in a bus without license plates together with people in olive uniform and balaclavas, the guy was hospitalized, where he was diagnosed with a brain injury, moderate cerebral hemorrhage, broken nose and multiple hematomas on the body.¹⁰

On Tuesday

Trials of members and former members of the ‘Belaruskali’ strike committee took place. All three defendants were sentenced to 15 days of administrative detention “for participating in an unauthorized mass street event.

Another National Coordination Council member, lawyer Konstantin Titov, has been detained. Journalists Marina Drobyshevskaya and Yevgeny Merkis were detained in Homel.¹¹

Administrative process & rule of law or its absence

Administrative lawsuits against detained civilians are not based on any legal rules. The case stories are fabricated from posts on social networks, unknown people in masks act as witnesses on Skype. More often, lawyers and relatives receive wrong information about time and place of the hearings from the official channels and miss hearings. Lawyers are not allowed to discuss defense tactics face-to-face with their clients; either the court clerk or other persons are present in the conversation.

The Ministry of Internal Affairs proposes to allow police officers to appear in court under assumed names.¹² The House of Representatives received a proposal from the Ministry of Internal Affairs to amend the Procedural Code of Administrative Offenses so that police officers who are witnesses in administrative cases could not give their real names, could not come to court, and that the process would be held behind closed doors. The Ministry of

⁸ <https://www.pressball.by/news/other/366990>

⁹ <https://mediazona.by/news/2020/09/14/kolyada>

¹⁰ <http://spring96.org/en/news/99545>

¹¹ <https://gomel.today/rus/news/gomel-18182/>

¹² <https://news.tut.by/society/700722.html>

Internal Affairs explains its proposal by the fact that the employees need additional protection because now they are under pressure.

It should be noted that such “security measures” are already being taken against police witnesses, although the legislation does not provide for such action at present.

Pressure on the Coordination Council

Maria Kolesnikova has been charged with publicly calling for a seizure of power, the country’s Investigative Committee said in a statement on Wednesday. Charges against Maria Kolesnikova is under Article 361.3 of the Criminal Code (calls for actions aimed at harming the national security of Belarus, made through the media and on the Internet). She remains in custody. The investigation continues," the statement reads. The article carries a penalty of two to five years in prison.¹³

Kolesnikova was detained in the early hours of September 8 and taken into custody. According to the Belarusian State Border Committee, she was apprehended while trying to illegally cross the border with Ukraine. Another member of the Coordination Council’s presidium, Maxim Znak, and the council’s lawyer Ilya Salei were detained in the same case.

Maria Kalesnikava’s defence lawyer Lyudmila Kazak filed a motion to end the criminal proceedings against Maria, as she believes that Maria’s public speeches do not contain any calls for the seizure of state power. The defence considers the persecution of Maria Kalesnikava to be politically motivated. The defence also filed a complaint on the fact that a forensic medical examination has not yet been carried out in relation to Maria in order to record her bodily harm inflicted during her detention.

The lawyer of a member of the Presidium of the Coordination Council Maxim Znak has filed a motion to terminate the criminal prosecution against Mr. Znak. “The criminal prosecution against Znak is the prosecution of a lawyer for carrying out his professional duties,” believes his lawyer Dmitry Laevsky.¹⁴

COVID 19 and Human Rights

The COVID-19 topic has almost completely disappeared from the country’s information field. The situation with the epidemic is used by the state to its advantage. It talks about an epidemic situation, when something needs to be prohibited, for example, a visit by a lawyer to

¹³ <https://t.me/skgovby/3066>

¹⁴ https://t.me/tutby_official/14840

a client or peaceful gathering by students.¹⁵ At the same time, all possible sanitary norms for placing people in pre-trial detention centers are being violated. After mass detentions, many of those released have had cases of COVID-19.¹⁶

The UN has recently published data on mortality in Belarus. It turned out that in June 2020, the number of deaths exceeded last year's value for the same month by 3,753 cases. The death rate in the first half of this year has broken a five-year record. Neither the Ministry of Health nor Belstat has yet explained what had caused such mortality; moreover, Belstat had promised to publish the data for six months in July, but they are still not available in the public domain.

A follow up on the situation with COVID-19 in Belarus is possible [here](#).

Children and Human Rights

The representative of the Prosecutor General's Office of Belarus, Aleksey Podvoisky, stated, in his interview to the state TV channel STV, the punishment that can be expected for children participating in the peaceful protests. He reiterated the threat from the state that the minors and their parents not only face administrative charges, but, "in extreme cases, the removal of a child from the family".¹⁷

Digital Rights

The American company Sandvine, which supplied Belarus with Internet traffic blocking technology, will not provide further technical support. Sandvine noted that the equipment will be available for use. However, the technology will stop receiving updates and the technicians will not have technical support. The IT company explained its decision by citing the fact that "the government used the technology to violate human rights".¹⁸

More than 70 websites have been blocked in Belarus over the last weeks. Many of the blocked sites include news media and are related to the elections, while several other sites expressing political criticism were blocked as well. Detailed report on the recent blocking of websites in Belarus can be found [here](#).

¹⁵<https://www.dw.com/ru/covid-19-i-protesty-v-belarusi-ne-tak-strashen-koronavirus-kak-rezhim-lukashe-nko/a-54869439>

¹⁶ <https://news.tut.by/society/697833.html>

¹⁷ <https://news.tut.by/society/700348.html>

¹⁸<https://www.bloomberg.com/news/articles/2020-09-15/sandvine-says-it-will-no-longer-sell-its-products-in-belarus>

Good News

Animators from 19 countries created a [cartoon](#) to support Belarus, we advise to have a look at it.¹⁹

¹⁹ Animators For Belarus / Аніматары - Беларусі
[#AnimatorsForBelarus](#)