

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

### **Summary: Saturday 20 February to Friday 5 March 2021**

During February, 102 people were sentenced on politically motivated charges in Belarus, and 312 court decisions were made in administrative cases: 222 of them on the imposition of arrest and 73 on the imposition of a fine. 270 people were recognised as political prisoners.<sup>1</sup>

On 1 March 2021, the new [Code of Administrative Offences](#) and [Procedural and Executive Code of Administrative Offences](#) entered into force.<sup>2</sup>

Amendments to the Code of Administrative Offences include the rules which provide for increased liability for violating the order of organising and holding unauthorised mass events, including increased fines (up to 200 basic units, or 5,800 rubles as of late February) and duration of administrative detention for repeated violations of this Article (up to 30 days in prison). Criminal liability for systematic violations of protesting procedures was also introduced by the state.

Moreover, the code outlines specific sanctions for personal data processing violations. In particular, the amendments include the following violations and penalties:

- the intentional unlawful collection, processing, storage, or provision of personal data or violation of an individual's rights related to the processing of her/his personal data shall result in a fine of up to 50 base units (approx. €435; the exact amount of a basic unit is established by resolutions from the Council of Ministers of the Republic of Belarus). As of 1 November 2020, one basic unit equals BYN 27 (approx. €8.70);
- the intentional illegal distribution of personal data of individuals shall result in the imposition of a fine of up to 200 base units (approx. €1740); and
- failure to comply with the measures to ensure the protection of personal data shall result in a fine of up to 50 base units (approx. €435) for legal entities.

### **Right to freedom of speech**

On 2 March 2021:

- The verdict for journalist Katsiaryna Barysevich and emergency hospital doctor Artsiom Sarokin was announced. Barysevich was sentenced to six months in prison and Sarokin received a two-year prison sentence, suspended for a year, and a fine of \$550. He was

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<sup>1</sup> <https://prisoners.spring96.org/en>

<sup>2</sup> <https://news.tut.by/society/720800.html?c>

released in a courtroom, but Borisevich remains in custody and has a fine of \$1,100.<sup>3</sup> They are accused of disclosing medical secrets, which, according to the Prosecutor General's Office, led to serious consequences. The charges stemmed from a 13 November 2020 article by Barysevich about the death of a man during a protest.<sup>4</sup>

- Minsk law enforcers made mass arrests of administrators of neighbourhoods and specialised Telegram-chats. Dozens of people are understood to be behind bars.

### **Right to defence vs. right to legal profession**

In February 2021, five lawyers were disbarred, apparently for political reasons. In relation to Maksim Konan, Liudzmila Kazak,<sup>5</sup> Kanstantsin Mikhel, and Mikhail Kirilyuk<sup>6</sup> a decision to terminate their licences was made by the Qualification Commission on issues of the Bar within the Ministry of Justice of the Republic of Belarus. The disbarment of Vladimir Sazanuchuk was decided by the Minsk Bar Association.<sup>7</sup> In March 2021, three lawyers were disbarred, and three more have passed attestation only for six months “due to insufficient qualifications”.<sup>8</sup>

Since August 2020, 12 lawyers have lost their licences and therefore their ability to defend people.

*To stay updated on the situation of lawyers in Belarus, we advise following the website [defenders.by](https://defenders.by).*

### **Right to a fair trial**

The Belarusian authorities want to further close down access to information on political processes, stating that foreign diplomats should not be able to access such processes. “We are witnessing an attempt by Western countries to introduce the practice of influencing the court through diplomats”, said the press secretary of the Belarusian Foreign Ministry, Anatoly Glaz, commenting on the participation of foreign diplomats in court hearings in Belarus.

“Unjustified presence of foreign diplomats at open court hearings in cases that do not concern their citizens, is, in fact, an attempt to covertly participate in the adoption of a court decision by putting pressure on the court. At the same time, I emphasise that such pressure is not exerted

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<sup>3</sup>

<https://baj.by/en/content/cpj-condemns-sentencing-belarus-journalist-katsiaryna-barysevich-6-months-jail>

<sup>4</sup> <https://news.tut.by/society/707715.html>

<sup>5</sup> [https://www.ccbe.eu/fileadmin/speciality\\_distribution/public/documents/HUMAN\\_RIGHTS\\_LETTERS/Belarus\\_-\\_Bielorussie/2020/EN\\_HRL\\_20201008\\_Belarus\\_Arrest-and-judicial-harassment-of-lawyer-Liudmila-Kazak.pdf](https://www.ccbe.eu/fileadmin/speciality_distribution/public/documents/HUMAN_RIGHTS_LETTERS/Belarus_-_Bielorussie/2020/EN_HRL_20201008_Belarus_Arrest-and-judicial-harassment-of-lawyer-Liudmila-Kazak.pdf)

<sup>6</sup> <https://news.tut.by/economics/719615.html>

<sup>7</sup> <https://defenders.by/news/tpost/5bjr34rjk1-advokat-vladimir-sozonchuk-lishen-litsen>

<sup>8</sup> <https://news.tut.by/society/721190.html#c>

by a foreign citizen in his personal capacity, but by a diplomat as an official representative of a foreign state. That is, we are talking about de facto pressure on the court from a foreign state”.<sup>9</sup>

### **Academic freedoms**

Since September, 113 university teachers have experienced repression, and 30 of them have been sacked.

Seventeen employees of the Academy of Sciences have also stepped down from their position to show solidarity with their sacked colleagues.<sup>10</sup>

One of the oldest student organisations in Belarus, the Association of Belarusian Students (Zadzinochanne Belarusian Students), now unites student associations from different universities. To date, representatives of 15 student communities from Belarusian universities have united. The association’s primary goal is to return to Belarus “the principles of democracy, legality and observance of human rights and freedoms.”<sup>11</sup>

### **International reaction**

A “systematic crackdown” against dissent in Belarus is continuing, months after the country’s disputed presidential election last year, the United Nations High Commissioner for Human Rights Michelle Bachelet has told the Human Rights Council.<sup>12</sup>

She presented the **report** on the situation of human rights in Belarus in the context of the 2020 presidential election – mandated by the Council last September – which covers serious violations of human rights between 1 May and 20 December 2020.

Freedom House, in its annual Freedom Worldwide report, assessed people’s access to political rights and civil liberties in 210 countries and territories. According to the report, Belarus has become the second country where the level of freedoms has dramatically decreased over the year, by eight points. Now the level of freedom in Belarus is estimated at 11 out of 100 points. Uzbekistan, as well as Yemen and the Gaza Strip, which are both conflict zones, received the same number of points.<sup>13</sup>

### **Other news**

The International Committee for the Investigation of Torture in Belarus has prepared the third interim report on the use of torture and cruel, inhumane, and degrading treatment of women.

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<sup>9</sup> <https://news.tut.by/economics/720288.html?c>

<sup>10</sup> <https://nn.by/?c=ar&i=268973&lang=ru>

<sup>11</sup> <https://zbsunion.by/ru>

<sup>12</sup> <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=26799&LangID=E>

<sup>13</sup> <https://news.tut.by/economics/721257.html?c>