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Analytical Review №4-1 (updated)

“An Analytical Review upon Results of the Examination of Evidence from 205 Citizens Detained during the Public Action on December 19th, 2010 in Minsk”

The present Analytical Review is based upon the data gathered from 205 persons over the period from January 3rd, 2011 up to and including January 21st, 2011 in Minsk. The information was gained by means of questionnaires filled in by respondents individually. Respondents were people detained during the public action of the night from December 19th to December 20th, 2010.

205 questionnaires were processed in total, 43 of those were filled in by women and 162 – by men. Respondents were aged from 18 to 61.

1. Violence and other types of brute, cruel and degrading actions of law-enforcement bodies and security forces.

Information regarding application of force by representatives of state during detention and transportation of people to the place where protocols were filed, during transportation of people to courts and temporary detention facilities was gathered and analyzed for this section.

- **148** persons mentioned in their questionnaires that they had witnessed application of force by state officials during detention. **35** people (mainly girls) noted that physical violence was not applied towards them when they were being detained.
- **57** persons described in their questionnaires that special devices (truncheons) were used against them. Respondents mentioned that they were hit mostly onto the areas of head and back and kicked on the legs. *One of the respondents stated that he got his eyebrow dissected because of a truncheon hit.*
- Some of these **57** respondents said that special devices were used against them even when they stood with their hands up and did not move. *One respondent specified that he was hit on the area of his head even though he stood still with his hands up in the air. Another*

respondent mentioned in the questionnaire that physical forces were applied towards his severely disabled friend (he had no arms and one leg).

- 33 respondents indicated that obscene cursing accompanied state representatives' application of violence.
- 35 persons witnessed in their questionnaires that they were detained by people dressed in plain black uniform without any identification markings. In some of the questionnaires respondents also mentioned that they were detained by people wearing helmets, thus it was almost impossible to see their faces.
- According to evidence of 39 respondents, density of packing people into special Ministry of Interior vehicles reached over 70 persons into one vehicle (with the norm of about 30 seats). Many people noted that they had to stand during the whole transportation because the vehicle was overcrowded. Vehicles that were used for transferring detainees into courts had also been evidenced as overcrowded (six people for two seats).
- Furthermore, respondents mentioned that duration of stay inside the vehicle from the moment of detention till the moment of arrival to the place where protocols were filed amounted to 2 – 5 hours, 117 respondents stated that detainees were denied the possibility to use the toilet.
- Almost all respondents evidenced that they were denied access to drinking water while being kept inside the special vehicles.
- 45 respondents noted that inside the special vehicles they could not use mobile phones to inform their relatives and friends of the fact they had been detained. There have been cases mentioned when people were punished for a mere attempt to use a mobile phone. *One of the respondents stated that he was kept in handcuffs for three hours as a punishment for a phone call he made.*
- Most of the respondents provide information that violence and force (truncheons hits), insults and threats were applied by state representatives against the detainees when they were kept in special vehicles. *A respondent evidenced that SWAT officers said that the detainees should had been taken to the forest and executed by shooting, and that another representative of the state called the detainees “the un-people” and “enemies of the state”. Another respondent asserted that during the transfer he was forced to lie down on the floor with his hands over his head, and was beaten upon the attempt to stand up.*
- Several respondents noted that state officials did not provide medical aid to people in the special vehicles who were severely traumatized during detention. *One of the respondents noted that the police officer did not react in any way to his request that help should be provided to a detainee with a broken leg.*
- 14 respondents pointed out that after being dismounted from the special vehicles, the detainees were kept outside for a long time (from 30 minutes to 2 hours), while the weather on the night of December 20th was below freezing.
- Many respondents evidenced that after detainees had been brought into the Local Departments of Interior in order for protocols to be filed, they were forced to stand still with their face against the wall and spend from 2 to 5 hours in such a position. Violence was applied by state authorities for the attempt to change a pose. *One of the respondents stated that SWAT officers were beating people for the attempt to sit down on the floor. Another respondent noted that he was standing up with his face against the wall for about 10 hours.*
- Several respondents mentioned that the detainees were lying down on the floor while waiting for their protocols to be filed. Representatives of the state, meanwhile, were walking along the detainees, kicking them, insulting and threatening with reprisals. Respondents also talked about separate outrageous cases of humiliation in the Local Departments of Interior when representatives of the state made the detainees get undressed down to nothing and captured the process on video. *Thus, one of the respondents stated that during personal*

examination the detainees were to get fully undressed while the whole thing was filmed on the camera. A militia officer said afterwards that whoever would be the first one to put his clothes back on, would get three days of administrative arrest withdrawn from his sentence.

- Some of the respondents reported that while protocols were being filed, representatives of the authorities forced the detained students to read some texts out loud in front of the cameras. When the student refused to obey, authorities threatened him with expulsion from university.
- Respondents noted that state representatives at the venues where protocols were filed suppressed all attempts of the detainees to use a mobile phone to inform relatives and friends about the place of their location.
- The process of filing protocols at local police departments could last, according to the information provided by respondents, up to **10** hours. During this whole time police officers denied access of detainees to drinking water or use of toilet. Some witnesses state that certain detainees, after numerous attempts to persuade the guards, managed to use the toilet and to drink some tap water, but such cases are rather singular.
- Despite the fact that people were kept in the hands of authorities for a period longer than **10** hours counting from the moment of detention, the number of cases when food was provided to the detained, according to the evidence of the respondents, is close to nothing.
- Respondents noted **6** cases when physical force was applied by authorities against those detained, for refusal to sign a protocol when it was filed. *One of the respondents mentioned that he was hit onto inguinal area after he refused to sign a protocol. A female respondent witnessed that a stranger who entered the room when the protocol was being filed tried to force her to sign this protocol. When she refused to sign the document, he slapped the girl on the face in front of two militia officers.*
- There have also been cases of violence, humiliation and insult from the side of representatives of the state when the detainees were being brought from the court buildings into special vehicles for further transfer to the temporary detention facilities, and when the detainees were being dismounted from the vehicles on the territory of such a facility. In addition, the witnesses noted that especially rigorous and degrading was treatment when dismounting detainees on the territory of the Zhodzino temporary detention center. *As one of the arrested mentioned, he saw militia officers severely beating one of the detainees and making him sing the “Sanya [derivative from Alexander] will remain with us” song.*

2. Violation of human rights and freedoms in the court premises and upon the procedures related to court trials.

People detained on that day were not set free after the protocols had been filed, but submitted at once to courts where their cases were considered by the administrative judiciary. The respondents believe that the process of filing protocols, implementation of judiciary procedures and the way detainees were kept in the court premises were conjugated with numerous violations.

- **117** of respondents mention that rights and responsibilities of the detained persons were not explained to them when the protocols were being filed, and this situation repeated itself through different local police departments. In separate cases respondents mentioned that their rights were explained to them, but militia officers either did it in an incomprehensive manner, or simply gave out an extraction to read about rights and responsibilities of the detainees.
- Respondents state that they observed quite a common violation of the protocol filing procedure (simplification) when officers of the local police departments used an already filed protocol as a draft and assisted to those who guarded the detainees in filing their reports. *One of the detainees asserted that police officers were simply filling in last names of those detained into a pre-drafted protocol form. Another respondent said that he*

personally observed how representatives of the authorities that brought him to the local police department filed their reports using carbon paper and copying the text from the sheet of paper printed out beforehand.

- 58 respondents mentioned that time and place of their detention embedded into their protocols either contradicted to the real time and place of detention, or was several hours different. For example, respondents insisted that they were detained on the street named Nyamiha, but the protocol contained information that the person was detained upon the following address: ul. Savieckaya, 11.
- 10 respondents stated in their questionnaires that they were kept in overcrowded facilities, in particular, the following facts were provided: 8 people (instead of 2 or 3 as presupposed) were placed altogether in one room organized for the detainees within the court building.
- Respondents also point out that the judge, while examining materials during the sitting, would not announce even the common meaning of the document being examined, not talking about providing full reading to the document. In particular, detention protocols, reports of state officials that directly implemented detention were not proclaimed by the judge, neither were other important materials that seemed vital for exposure of the circumstances of the case and formed determinants for accusatory rulings.
- Respondents also communicated that no lawyers were involved from the side of defence in most of the cases. Respondents pointed out that in several cases judges did not inform them about a possibility of a state lawyer to be assigned to them. Separate cases were reported when the judge would not allow a lawyer hired by the relatives of the detainee to participate in the process.
- Respondents described a range of cases when the judge refused to question witnesses for the defence upon the plea of the detainee. All of those interviewed said that witnesses for the defence were never questioned.
- A vast majority of respondents claimed that their court trials were not public and neither relatives of the detainees, nor journalists or representatives of the general public were allowed into the court room during the hearing.
- All respondents mentioned in their questionnaires that duration of the court trial did not exceed 10-15 minutes; there have been cases when the court trial lasted less than 5 minutes.
- Respondents noted that the judge, having pronounced a court ruling on administrative offence, did not always, or not in full scale, explain the procedure of lodging an appeal against this ruling.
- Upon the respondents' opinion, a great obstacle for the procedure of appealing against the administrative ruling lied within the fact that the text of the court ruling on administrative offence was put to the respondents' disposal after the term of administrative arrest had expired. Only in one out of nine Minsk courts (in Moscow District Court) were copies of the court ruling given to the detainee right after the judge had announced results of the court trial and before the detainee was transferred to the temporary detention facility.
- Another obstacle for appealing against the ruling of the court, upon the evidence of the respondents, was connected to the fact that some of the temporary detention facilities did not give out blank sheets of paper for compiling a cassation appeal. E.g., in Zhodzino temporary detention center paper was given to the respondents only after a 5-day term for lodging an appeal had expired.
- People mention in their questionnaires that most of responses as to their complaints of appeal against the administrative ruling either included information that lodging a complaint was denied to a person because state registry fee had not been paid in due order, or that lodging an appeal was denied to them without explanation of reasons. In some cases such responses were not received at all, even though the appeal had been lodged over a month before.

3. Violation of rights of those administratively arrested while in prison.

After a court ruling had been issued regarding administrative arrest of a person, the detainees were transferred to three temporary detention facilities: Zhodino temporary detention center (ul. Suhogradskaya, 1), Minsk district temporary detention center (ul. F. Skoriny, 20), and Center for isolation of the delinquents of the Minsk city Executive Council (per. Okrestina, 36).

- Respondents mentioned that cells were overcrowded in all of the prisons described. There were separate cases in the Zhodino temporary detention center when there were less than two square meters of the overall area of the cell assigned to one person. In one of the cells with the total area of 18 square meters, 12 people were simultaneously present there for a long time. Lack of sleeping places was also reported in the Zhodino temporary detention center. Respondents described a case when 14 individuals serving an administrative arrest were placed into one cell with only 10 equipped sleeping places, this leading to the situation when prisoners had to spend a night on the floor.
- Similar facts were reported by the respondents in Minsk district temporary detention center. According to the respondents' words, there were 12 prisoners placed simultaneously into one cell equipped with 8 sleeping places, spending a long time there and having claims towards a sleeping place. The facts that prisoners were put into cells where each of them was assigned to less than 2 square meters of area should also be mentioned here.
- The situation with maintenance of prisoners in the Center for isolation of the delinquents of the Minsk city Executive Council, upon the respondents' words, was less grievous. 10 respondents stated that the cells were "insignificantly" overcrowded. In one of the cells there were 3 equipped sleeping places for 4 people, meaning that one person was to sleep on the floor.
- One of the respondents described that he spent more than 24 hours in a special vehicle because the cells in the temporary detention facility were overcrowded.
- Respondents reported that a man who behaved inadequately and was delirious was kept in one of the Zhodino temporary detention center cells together with others. According to the respondents' words, this prisoner's behavior resumed periodically and rather looked like seizures. Respondents from the Center for isolation of the delinquents of the Minsk city Executive Council told that they were kept together with other prisoners who had tuberculosis and chicken pox.
- **123** respondents who were kept in different temporary detention facilities mentioned that no drinking water was provided to them during the whole term of their administrative arrest. They had to drink tap water inside the camera. Most of the respondents note that the water was of lowest quality and with a strong smell of chlorine. Only several of the witnesses mentioned that they were provided with access to drinking water.
- **116** respondents in all three temporary detention facilities mentioned in the questionnaire that the quality of food was very poor. The food smelled bad, looked inedible, and its taste was repulsive. Respondents reported facts of mass meal refusal. In certain cases detainees went on a hunger strike. Such facts were described by respondents from all three temporary detention facilities. **14** respondents mentioned cases of indigestion and poisoning among the arrested.
- Upon the evidence from the respondents, temperature regime was more or less observed in the cells of all the described detention facilities except for the Center for isolation of the delinquents. **47** respondents mentioned that it was very cold in the cells during the whole period of their stay and that they always had a feeling that there's a draught in the cell.
- **43** respondents from the Minsk district temporary detention center mentioned that during the first three days they had to wear their outer clothing when sleeping because the temperature in the cells was very low. According to one of the witnesses, the temperature in the cell during the first three days was no more than 0 centigrade.

- **51** respondents kept in the Zhodino temporary detention center noted that their cells were well-heated, respondents even mentioned that it was very hot in the cells. However, **3** respondents rated the temperature of their cells as cold.
- Most of the respondents indicated that the system of artificial ventilation was available in the cells of all the described detention facilities. But **43** respondents who were kept in the Zhodino temporary detention center and **36** respondents who were kept in the Center for isolation of the delinquents noted that the ventilation system did not work properly. The prisoners from Zhodino mentioned additionally that it was very stifling in the cells. Those who were kept in the Minsk district temporary detention center specified that ventilation was working very poorly in their cells. It should also be noted that in all of the described detention facilities there were certain cells where prisoners could open ventlight windows to let natural air inside, but this possibility was provided not in all cells. Together with that, opening ventlight windows to allow fresh air into the cell would lead to lowering the temperature inside the cells which, in case of bad heating in the Minsk district temporary detention center and in the Center for isolation of the delinquents, would worsen the already complicated situation with temperature regime in the cells.
- Weakness of artificial ventilation in all of the venues described had an extremely heavy impact on prisoners who did not smoke, whose number was quite significant. Since the prisoners who smoked and those who did not smoke were kept together and the administration of the facilities did not provide smokers with an opportunity to smoke outside the cell, the smoke from cigarettes, considering the bad ventilation system, was airing out very slowly and formed the basis for additional discomfort and worsening of the way non-smoking prisoners felt.
- As to the issue of illumination inside the cells, respondents from all the detention facilities mentioned that it was problematic to read something in the cell because the light was not bright enough. Thus, **69** respondents kept in the Center for isolation of the delinquents complained about bad artificial illumination in the cells. A similar situation was described in the Minsk district temporary detention center: **71** prisoners that were kept in this detention facility mentioned that illumination was sufficient and cozy for reading but noticed, however, that artificial illumination was turned on for a short period of time right before the sleep, whereas the rest of time the cell was lit by natural light from the window, which obviously was not enough. ***Illumination was inadequate due to the fact that the window was small in size and that there were hindrances in front of the cell window.*** These circumstances were impeding the possibility of the prisoners to file their complaints regarding court rulings and the prisons conditions.
- Respondents described in their questionnaires that they could take a shower once a week. Such a possibility was equally provided in all the described detention facilities. Women who were imprisoned in the Minsk district temporary detention center mentioned that shower was provided to them once in 5-7 days. Together with that, the prisoners from the Zhodzino temporary detention center stated that the time specified by the facility's administration as time for showering was extremely short. Respondents explained that this time was limited by no more than 3-4 minutes per person. ***It should also be noted that one of the prisoners of Zhodino temporary detention center complained that there was no hot water during showering. As a result, he had to wash himself with cold water.*** **35** of those imprisoned in the Center for isolation of the delinquents of the Minsk city Executive Council mentioned that they had to issue a collective complaint against the administration of the facility, and it was the collective complaint that pushed the administration towards a decision to provide the prisoners with a possibility to take a shower. ***A case when access to showering was ensured to the prisoner on the ninth day of his term was reported in the Center for isolation of the delinquents.***

- Respondents from all the detention facilities mentioned that there were toilets in the cells. Some of the cells of the Zhodino temporary detention center were equipped with full-fledged toilet pans. In all other cases in the Zhodino and Minsk district temporary detention centers, as well as in the Center for isolation of the delinquents there were no full-fledged toilet pans organized in the cells. **39** of the questioned prisoners that were kept in the detention facility in Minsk marked situation with the conditions of privacy when using toilet as drastic. The height of the partition bars separating the toilet from the rest of the cell was no more than one meter, and this did not allow the prisoner to feel isolated when using the toilet. The same reason caused discomfort of other prisoners who were eating during the time when someone else was using the toilet. It should also be noted that the toilet area was not isolated from the employees of the detention facility who had the possibility to examine it, thus causing more discomfort of the prisoners because privacy was denied to them and state authorities could roughly intervene into their private lives. Similar descriptions of the use of toilet were mentioned in the questionnaires filled in by those imprisoned in the Zhodino temporary detention center and in the description of **45** respondents that were kept in the cells of the Center for isolation of the delinquents in Minsk. **21** respondents that were serving their term in the Minsk district temporary detention center said that there were no sinks in their cells and it was possible to wash up and brush teeth only using the tap located above the toilet, which caused the feeling of disgust because of the smells rising from the toilet. Those prisoners kept in the Zhodino temporary detention center were never provided by the administration of the facility with toilet paper or other hygienic means.
- Eyewitnesses testify that there was a problem with individual bedding in all of the described facilities. Prisoners were not given a mattress or a blanket, or sheets. There were cases mentioned when none of the above was given to the prisoner. There were cases described in the Center for isolation of the delinquents in Minsk when the prisoners were using the bedding during a part of their placement term, and another part of the term they were forced to spend without them because the bedding was withdrawn. **Some of the prisoners described a range of cases when they were provided with extremely dirty mattresses that firmly and sharply smelled of urine.**
- Most of the respondents mention that cells where they were kept were equipped by quite a large amount of furniture. There were tables, benches and cupboards in the cells. However, the prisoners of the Center for isolation of the delinquents in Minsk stated that they were kept in cells where there was no other furniture but individual sleeping places. Consequently, they had to keep their clothes on their sleeping place and eat their meals there just as well.
- Many of those questioned prisoners who were kept in the Zhodino temporary detention center stated that there were cockroaches in the cells. Those prisoners that were kept in the Center for isolation of the delinquents in Minsk mentioned that there were cockroaches in separate cells and even mice, though such descriptions are rather single. Least number of cases when cockroaches were detected was mentioned in the Minsk district temporary detention center.
- A big problem, according to the respondents, was the realization of the right of prisoners to a daily walk. All inmates at the Center for isolation of the delinquents say that for all the period in custody they have never had a walk. Prisoners in the Minsk district temporary detention center testify that the daily walks were not more than 30 minutes a day. **And one of the polled said that the prisoners had not been out of their cells for a walk during three days.** In the Zhodino temporary detention center, according to prisoners, daily walks were provided to them every two or three days. **90%** of respondents state this. The total amount of time for a walk was also small – no more than 30 minutes a day. **According to one of the respondents, he had not been out for a walk for 5 days.** According to the descriptions of prisoners, the exercise yard was no more than 20 square meters.

- According to all the respondents, in all the institutions under consideration medical help was provided to prisoners, but inmates in the Zhodino temporary detention center noted that the practitioner may have appeared only on the following day after appeal to detention center officers with health complaints. *One inmate described that medical help was granted to him only on the third day after his appeal.* Almost all the respondents who received medical help indicate that physicians used only activated charcoal and aspirin for treating any kind of disease. At the same time, prisoners at the Center for isolation of the delinquents noted daily health worker examinations of all prisoners as a positive fact.
- Virtually in all the detention facilities under consideration the respondents indicated serious problems with parcels of food, personal items and hygiene products. So, it was noted that given the poor food within the institution, the administration would not allow relatives to pass to prisoners any food products, except for water and juice. *Numerous cases of loss of some of the items passed in official parcels by relatives and friends of prisoners were also recorded.* Such facts were indicated by the prisoners of the Center for isolation of the delinquents and Zhodino temporary detention center. Prisoners of the Minsk district temporary detention center reported that sometimes the whole parcels disappeared.
- One of the important problems mentioned by the respondents in the questionnaires is a problem of rudeness, humiliation and violence against prisoners by the staff of the detention facilities. Respondents noted that one shift of guards differed from the other, but the general context was unsatisfactory. For example, **58** prisoners held in the Zhodino temporary detention center, tell about rudeness of the staff and even facts of physical violence. *One inmate told the guard hit him in the chest with his fist, which caused the prisoner pain.* Prisoners of the Center for isolation of delinquents tell about boorishness and abuse by the staff of the detention facility. Only female prisoners interviewed on the situation in the Minsk temporary detention center reported that rudeness of the guards was quite rare, but they described a number of cases of the guards being on the job while drunk.

Conclusions and recommendations of the research

We confidently state that violence and brutality were most cruelly and widely used by law enforcement officers during detention. Violence has been used to every fourth detainee, and acts of violence were accompanied by insults and humiliation of detainees. It should be noted that most of the detainees did not maintain any resistance, and in a number of cases stood with their hands up, showing their willingness to obey the state representatives. And the representatives of the authorities themselves in every sixth case of detention had no identification markings, and even hid their own faces behind masks. It is worth noting that the impossibility to identify the persons conducting detention not only denies the right of appeal against unlawful actions by representatives of the authorities, but also disorients a person subjected to violent acts. In this case, it an individual is unable to make adequate decisions on the model of his or her own behavior: either to resist, to obey or to flee.

The number of cases of violence while keeping the detainees in special transport, in the places of where protocols were filed and in the courts is to some extent less, but the number of facts of degrading and cruel treatment is significantly higher. This is confirmed by the actions of representatives of the authorities, who for a long time kept individuals in crowded special vehicles, as well as in degrading poses (prone; standing facing the wall; hands clasped behind one's back), who did not provide respondents with access to drinking water, denied them opportunity to use toilet for several hours, did not render medical help to people with severe injuries. It should be noted that these methods of humiliation were occasionally accompanied by physical violence by representatives of the authorities. Such actions of representatives of the authorities against detainees can be characterized as aimed at humiliating their human dignity, and, in fact, at disheartening them.

Against this background, violation of the administrative persecution procedures seemed especially humiliating. Serious violations while filing protocols, and above all, violations related to the fact that the protocols in large numbers were in fact filed before the time officially indicated in them, representatives of the authorities compiled reports using forms prepared in advance and, in some protocols, the actual place of detention did not correspond to the place of detention specified in the protocol, also in some cases detainees were released after a long time without filing protocols or giving explanations of the reasons for detention. Discrepancy between the actual place of detention and the place of detention specified in the protocol, combined with the fact that some of the respondents were, according to themselves, detained not in the place of public action, but near bus stops, subway stations, near the railway station, suggests that representatives of the authorities deliberately changed the place of actual detention in order to hide the facts of detaining persons not involved in mass actions.

Violations of legal procedures on administrative cases of detainees may be recognized as being mass. This is evident from the fact that almost all trials lasted an average of 5 to 15 minutes, and this time is not enough for the procedure in accordance with the legislation, given that most of the detainees have never been brought to administrative responsibility and consideration of the cases required an individual approach. Brevity of the trials, in combination with other factors, indicates that a thorough analysis of each administrative case in all its uniqueness was not conducted by courts.

During the court trials a great number of gross procedural violations were made: hired lawyers and relatives of the detainees, journalists and the public were not allowed to the court proceedings; judges refused to question witnesses for the defense, the court did not explain the procedure of appealing against rulings, court rulings themselves were not given in time to the detainees, which deprived them of the opportunity of further appeal.

Conditions of those administratively detained in all the three institutions where they were (in two temporary detention centers and one center for isolation of the delinquents), in many cases can be considered degrading. The cells were overcrowded, it was cold inside, ventilation was weak, lighting was poor, there were not enough bed linen, beds and furniture for a tolerable existence of the convicts, facts of presence of cockroaches and mice in the cells were noted, which indicates poor hygienic conditions. Drinking water was not provided, the quality of food was very low, use of shower and exercise yards has been severely limited and insufficient to maintain a normal lifestyle and compliance with personal hygiene, toilets were poorly equipped in terms of privacy and most of them could not be used by prisoners with disabilities. Staff of the detention facilities was rude and partially plundered the parcels sent to respondents. We may ascertain the fact that detention facilities for those administratively convicted were not prepared for the influx of such a great number of prisoners, and the administration of the temporary detention centers and the center for isolation of the delinquents has not taken necessary measures to address the overcrowding and to provide separate berths to prisoners. The authorities preferred to solve the overcrowding problem in another way which grossly violated the rights of prisoners. The overcrowding problem also strongly influenced the fact that the administration of detention facilities in many cases abandoned the principle of separate confinement.

One can argue that the described prison conditions of those detained and administratively arrested did not meet even the minimum international standards enshrined in the specialised universal recommendatory act – the Standard Minimum Rules for the Treatment of Prisoners adopted by the UN ECOSOC resolutions №663 C (XXIV) of July 31st, 1957 and 2076 (LXH) of May 13th, 1977, and also violate the provisions of the Article 7 “The right to humane treatment and respect for human dignity of persons deprived of their liberty” of the United Nations International Covenant on Civil and Political Rights. Thus, we can state the fact of a gross violation by the state of the Republic of Belarus of its international obligations in this sphere.

General conclusions on the facts stated above and the analysis carried out may be summarized as follows: While arresting the protesters on December 19th, 2010, filing protocols of detainees, their subsequent detention, holding administrative court trials and serving administrative punishment by those persons the authorities of the Republic of Belarus committed acts having a repressive nature, aimed at intimidating the population and being precautionary in relation to public expression of opinions by the people through carrying out mass actions. Despite of the apparently planned behavior of the law enforcement officers and targeted detention of hundreds of persons, the state did not care about ensuring to those people at least minimum standards of treatment respecting human dignity during detention and subsequent custody, which led to massive violations of human rights and freedoms of the mentioned individuals. These actions are not compatible with the notion of democracy and the rule of law, and flagrantly violate the obligations of the Republic of Belarus in the sphere of human rights.

In this regard, the authorities and civil society organisations in Belarus should:

1. Take immediate steps to retrain police officers involved in monitoring compliance with law and order at mass events and public actions, in order to avoid further use of violence against detainees, as well as cruel and degrading actions.
2. Law enforcement bodies of the Republic of Belarus should develop schemes of actions during mass public actions, including unauthorized ones, aimed at preventing mass disorder and violence, using the method of mass detention only in case of well-founded emergency.
3. Law enforcement bodies of the Republic of Belarus while conducting mass detention should strictly observe human rights standards and requirements of the domestic law. In particular, in all situations to follow the rules of transporting detainees by motor-vehicle transport, to comply with technical standards of admissible number of persons to be transported in each special vehicle, to ensure to these individuals conditions allowing to satisfy the natural human needs, to comply with the norms of fillability of temporary detention, and cells for serving administrative detention, as well as to take into account the number of places available in the respective detention facilities, and to meet international standards on confinement, guaranteeing respect for human dignity of such persons.
4. The Office of the Public Prosecutor of the Republic of Belarus should conduct in the shortest possible time investigation of all the acts of violence, cruel and degrading treatment during and after the dissolution of the public action on December 19th, 2010.
5. The courts of Minsk should be re-equipped to ensure the possibility of holding public and open proceedings.
6. The judiciary should consider the procedural violations by the judges in court proceedings on the cases of those detained during the public action on December 19th, 2010.
7. Bring the conditions in the detention facilities of Belarus, in particular in the Minsk temporary detention center, Zhodino temporary detention center and Center for isolation of the delinquents in Minsk, in line with the Standard Minimum Rules for the Treatment of Prisoners adopted by the UN ECOSOC resolutions №663 C (XXIV) of July 31st, 1957 and 2076 (LXH) of May 13th, 1977, Articles 10–14 and 92, 93, namely: quadrature and cubic capacity per prisoner, general sanitary condition of cells, number and size of windows, possibility of carrying out hygienic procedures in private (using toilet and shower), meals for prisoners, provision of bedding, possibility of having daily walks, communicating with relatives and receiving parcels.
8. The authorities of the Republic of Belarus, including the public prosecutors' offices, should investigate all the facts of illegal and degrading actions of the detention facilities' staff.
9. Civil society organizations working in the Republic of Belarus should provide legal, psychological and counseling support to victims, in particular in drafting and filing complaints against the state bodies' employees who have committed acts of violence, cruel and degrading treatment while dissolving the public action on December 19th, 2010, as well

as while transporting detainees and their confinement in special vehicles and places of detention.

10. Civil society organizations of the Republic of Belarus should inform the public about the situation with the violations of rights of those detained at the public action on December 19th, 2010 and in its aftermath, cooperate with other organizations in helping the victims in order to achieve common goals – respect for human rights in Belarus.