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Human Rights Center 'Viasna'

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**Application within early warning and urgent action procedure
of the Committee on the Elimination of Racial Discrimination:
Mass arbitrary detention of Roma in Belarus in May 2019**

Summary

On May 16, 2019, over 100 Roma people, including women, elderly people, and children, were subjected to illegal detention and inhumane treatment by police officers in Mogilev Oblast, Belarus. At the time of writing the present report in July 2019, these human rights violations had not yet been investigated and the perpetrators had not been prosecuted.

Context

Discrimination against Roma in Belarus is a systemic problem. The Committee on the Elimination of Racial Discrimination expressed that concern in the recent Concluding Observations to Belarus in the twentieth to twenty-third periodic reports issued on December 21, 2017 para 23-24. The Committee recommended the government to take measures to end racial profiling by law enforcement authorities, and undertake prompt, thorough and impartial investigations into all allegations of racial profiling, holding those responsible accountable and providing effective remedies, including compensation. Human Rights Committee in its Concluding Observations on the fifth periodic report of Belarus at para 17-18 also pointed at discrimination of Roma, including hate speech and racial profiling by law enforcement officials and recommended the government of Belarus to take effective measure to address discrimination of Roma, including to eliminate racial profiling by law enforcement officials. Despite these recommendations from treaty bodies, ethnic profiling remains a serious problem in Belarus that leads to racial discrimination and the violation of fundamental rights.

Official grounds for the mass detention of Romani people

On the evening of May 16, 2019, the media published information about the kidnapping of 22-year-old traffic police lieutenant Evgeny Potapovich in the suburbs of Mogilev. Several hours later, his body was discovered in a forest area two kilometers from the city. Law enforcement officers organized a special operation to arrest the suspects in this murder. The media reported on the possible implication of "members of Caucasian or Romani appearance" in this crime, since the victim was allegedly able to send a message stating this (there was no official confirmation about this). Half an hour after the body was discovered, law enforcement officers started conducting raids and arrests in dense Roma communities in the suburbs of Mogilev and in other cities of Belarus, including Gomel, Vitebsk, Bobruisk, the village of Kolodichi in Minsk Region and others. On May 20, 2019, members of the Investigative Committee of Belarus announced that Evgeniy Potapovich had committed suicide.

Violation of rights during mass arrests

The greatest number of arrests and raids of Romani homes took place in the villages of Chapaevka and Grebenevo, which are outside of Mogilev. During the night of May 16 to May 17, 2019, almost 100 Romani people, including women and minors, were arrested. The women and children were released early morning on May 17. Almost 50 men were held for three days and then released on May 19. The people arrested were charged with disorderly conduct, which is an administrative violation (article 17.1 of the Code on Administrative violations of the Republic of Belarus).

According to persons arrested and witnesses of the arrests, the law enforcement officers used disproportionate force, beat the detainees, and threatened and insulted the detainees. On top of this, they did not identify themselves, did not state the grounds for the searches and arrests, and did not present documents permitting them to conduct investigative actions. The raids and arrests took place late at night.

Below are the testimonies of Romani people who experienced and witnesses suffered arrests (interview by the ADC Memorial staff, 30-31 May 2019). The violations they mentioned include raids and searches of houses late at night; verbal abuses; disproportionate use of force; threats with weapons, including in relation to children; extended stay in a place not adapted for detainees (the gym of a police precinct); administrative prosecution for a crime that had not been committed; deprivation of food and water; and deprivation of packages. One informant reported that OMON officers rammed through the gates of one home on the outskirts of the village while children were in the courtyard with their babysitter. There have been also reports that OMON officers fired shots into the ceiling of one of the homes in Chapaevka.

“OMON officers came to us late at night. Aside from myself and my 18-year-old grandson, there were no men in the house. The officers started to truss up his arms and lead him away. I said that I would not let him leave alone. Then they herded me into a cell with him. My grandson is a student. He plays sports. He’s the regional champion in archery. The entire village knows him. I asked them not to take him away because he had a training session in the morning, but they didn’t listen. First they took us to a gym, which was right in the precinct. They placed us with our faces to the wall. We were there until morning. We were all interrogated. Then, my grandson, another young man, and I were put in a cell. We spent about a day there and then were transferred to another cell, which was already holding 10 people. We were treated normally. They gave us food and water. They released us on the third day. The report stated that we had relieved ourselves in an inappropriate location. They wrote up the same thing for the rest of the people.” (A.¹, 72, resident of Chapaevka, was detained and held for three days.)

“A large prison van arrived after midnight. Everyone was loaded into it like pigs: men, women, the elderly. They took the entire family that lives across from us. First they came for the father and son, and then at night they took the mother and daughter-in-law—a delicate girl of 19—and the rest of the children. They were held in the gym of the Oktyabrsky precinct and released in the morning after questioning.” (S., resident of Grebenevo)

“They came around midnight. I didn’t know what was going on, so I was very surprised when they banged on the door. I was alone with my grandchildren, because my husband works as a porter and had to stay at work until the morning to receive goods. The knock was very loud. I went up to the door and asked who was there. They screamed that it was the police and that I had to open up immediately. I was scared. I went to the window that looks out on the street and saw a crowd of armed people in helmets in the courtyard. I opened the door and was immediately pushed aside. I fell onto the couch. Two armed men in masks and one investigator entered. They started asking me about where my son was. I didn’t know, since he has been living separately with his family for a long time. They wanted me to give him up. It turned out that they were taking to all the adult men and that my son was listed at my

¹ The full names and other data of the informants are not disclosed due to security concerns

address. My granddaughter woke up while they were speaking with me. She ran out and asked them to speak quietly and stop cursing, since small children were sleeping in the home. In response, the investigator told her that they would break down the door next time if we took too long opening it. They searched the house and left.” (A., resident of Grebenevo.)

OMON troops burst into Zh.’s house in Chapaevka at around 9pm. They did not identify themselves or show any documents. They placed everyone—including minors and an elderly woman—with their faces to the floor. They held the butt of an automatic rifle to the oldest child’s head to keep his head to the floor. After turning everything inside out, they arrested three men, three women (including Zh.), and one 12-year-old:

“First they took everyone to the Oktyabrsky precinct. There’s a gym on the third floor. They herded us all in there and placed us with our faces to the wall, men on one side, women on the other. They held us from about 10pm to about 5am, until the individual interrogations were done. There were about 100 Roma in the gym.

“We weren’t given any food. When we started to protest, an officer brought first one bottle of water for the men and then one for the women. We each took a sip and then the bottle was empty. Some people didn’t get any water at all. When I asked one of them what right they had to behave like this with us, they said that we didn’t have any rights.”

ADC Memorial has testimony about similar actions by the police in Gomel. For example, one informant reported an intrusion into her home, an unauthorized search, and threats and abusive language. She also received threats over the phone after she tried to file a complaint with the prosecutor’s office (in the end, she decided not to file this complaint).

“At 8am on the day following the news of the police officer’s killing, several police officers burst into my home. They started to conduct a search without any explanations. They asked to see my passport and then tore it out of my hands. I told them they didn’t have the right to do this. They responded that the passport wasn’t my property, but the state’s. They started to record a video and take photographs without my permission. We weren’t able to move freely around the apartment because an officer followed each of us. I couldn’t even change my clothes, and my daughter was even scared to take a shower because a police officer followed her into the bathroom. They wanted to fingerprint me, my husband, and my daughter, but I didn’t let them. They also started questioning my 15-year-old daughter without my permission, but I didn’t allow her to say anything, so she responded to all questions with silence. This really upset them; they twisted my arms behind my back and said that they would have to speak with me at the precinct because I was so smart.

“They took me into the precinct, where I spent four hours. At first they want to take my fingerprints, but I again refused, telling them that they had no legal grounds for fingerprinting and that I had to be a suspect for this. Then an officer told me that he personally suspected me of committing a crime and that he would write me up for defying an officer’s legal demands. In the end, he didn’t write me up, but he brought me to an interrogation with the deputy head of the precinct. I immediately asked why I was being held and why they needed my fingerprints. He said that I was starting the conversation with the wrong questions. He asked me if I had a phone. When I brought it out, they took it into the room next door. They wrote up a description of it and took it away for good. They said they would return it in two days, but they only returned it after one month, and then only after my repeated complaints.

“After this, I wanted to complain to all the higher instances, but I received a call warning me not to do this.” (Telephone interview, July 17, 2019).

Unlawful interrogation methods

According to the Romani informant Zh., police officers beat the men during their arrests and interrogations. Several men were beaten by two or three officers. One man felt ill and was hospitalized. Interrogations were conducted by three officers. During some interrogations, the officers verbally abused the detainees, beat them, threatened them, and told them to leave Belarus

or they would not be allowed to live in peace. According to one detained person, the officers tried to make him implicate himself during his interrogation. When they released the women, they told them that they had to find the killer themselves or the men would remain in custody. The men were not allowed to receive packages over the three days they were in custody.

Zh.'s interrogation started at 1am and lasted for 30 minutes. When it was her 13-year-old son's turn, she wanted to go with him, but was not allowed. Her son was interrogated on his own, but in the presence of a representative from social services. She and her son were released after their interrogations. (Interview, June 2019).

The tragic consequences of arrests: the death of an elderly woman

Three days after the raid, 67-year-old Lidiya Yurchenko passed away in Grebenevo. She was at home alone with her grandchildren during the search. According to her daughter, Tatyana:

“OMON and police officers came to our house in the evening. They immediately made the girls lie down on the floor, and they held my mother on the couch because she could not lie down. They pressed one of the girl's head to the floor with an automatic rifle. When my mother asked them not to touch the children, they said, ‘Shut up, bitch, or it will be worse for you.’ My youngest daughter got scared and wet herself. The oldest is still in shock. She is scared to sleep at night. She's now in the hospital with an abscess in her throat (possibly from stress). My mother's 11-year-old great-niece had an attack of palpitations during the raid. My mother asked the officers to call an ambulance, but they refused.”

Lidiya lay in bed for two days after the raid without getting up (an ambulance was never called). She died on the third day from a blood clot.

The situation at the time of this communication

In general, victims do not want to file complaints about the actions of police officers because they fear repressions. According to local residents, the police in Mogilev have cultivated hatred of Romani people through statements in the media and on their official website for several years. For example, incident reports always list nationality for Romani people, even if they are under arrest or a suspect, but they do not do this for other nationalities. Romani residents of Grebenevo and Chapaevka report that their documents are regularly checked and that Romani people are regularly detained and fingerprinted, even though fingerprinting is voluntary in Belarus. These actions frequently bear the marks of special operations, when a district is surrounded early in the morning. In comments to the media, a former Mogilev police officer said that these actions are conducted in accordance with the Ministry of Internal Affairs's unofficial program for work with national minorities.²

On May 23, 2019, Igor Shunevich, head of the Ministry of Internal Affairs at the time, announced that the actions of law enforcement were justified and that he had no reason or grounds to ask for forgiveness from the Gypsies.³ On the same day, Natalya Kochanova, head of the Administration of the President of Belarus, held a meeting with members of the Romani community and apologized for these events. On June 11, Shunevich was removed from the position of Minister of Internal Affairs. When appointing a new minister, President Alexander Lukashenka said that “we don't need what happened with the Gypsies.”⁴ On May 31, officials announced the creation of working group to assess the actions of Ministry of Internal Affairs officers during the arrest of Romani people in Mogilev in May 2019. However, on June 25, 2019 at the press-conference the representative of the Prosecutor's office of the Republic of Belarus reported that as a result of investigation ‘any illegal actions or abuse of power was not found out’.⁵

² “Former policeman told how Romani districts are ‘controlled’ by the police,” *Radio Svoboda*, May 23, 2019, <https://www.svoboda.org/a/29956915.html>

³ “Shunevich called the checking’ of Romani in Mogilev well-grounded,” *Radio Svoboda*, May 23, 2019 <https://www.svoboda.org/a/29958037.html>

⁴ “Took it too far.’ Lukashenka reminded to new head of Ministry of Internal Affairs about detention of Roma,” *Radio Svoboda*, June 11, 2019 <https://www.svoboda.org/a/29993237.html>

⁵ Human Rights Center ‘Viasna’, Massive raids against Roma should be investigated, Joint Statement of Human Rights Center Viasna and International Federation for Human Rights, 26.06.2019, <http://spring96.org/be/news/93338>

We appeal to the Committee on the Elimination of Racial Discrimination to:

- 1) ensure an effective investigation and prosecution of the perpetrators of the arbitrary detentions and inhumane treatment of Romani people by the law enforcement agencies of Belarus;**
- 2) assess and make recommendations regarding internal procedures for working with ethnic minorities correspond to the provisions of the Convention on the Elimination of All Forms of Racial Discrimination.**