
ANALYTICAL REPORT

JULY – SEPTEMBER 2014

This analytical report is a result of cooperation between Belarusian human rights organizations: RHRPA “Belarusian Helsinki Committee” (“BHC”), Belarusian Association of Journalists (BAJ), Assembly of Pro-Democratic NGOs of Belarus, Legal Transformation Centre (LTC), Human Rights Centre “Viasna”, and Educational Charitable Institution “Committee “Salidarnasc”.

The main purpose of this report is to reflect the human rights situation in Belarus, and socio-political and economic factors that influence its development.

The report covers the period April through June 2014.

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CHAPTER 1. MAIN FACTORS INFLUENCING THE HUMAN RIGHTS SITUATION

In the third quarter of 2014 human rights situation continued to develop against a backdrop of increasing diplomatic activity, primarily, between Belarus and the USA, and between Belarus and the European Union, as well as of the activity of Belarus as a platform for talks on Ukraine-Russia crisis. In particular, Secretary-General of the United Nations Ban Ki-moon highly appreciated the role Belarus played in the settlement of Ukrainian military conflict¹, and the Deputy Assistant Secretary of State Thomas Melia expressed gratification with the fact that Belarusian government did not recognize the Russian annexation of the Crimea and that Minsk agreed to host a meeting to find ways to Ukrainian conflict².

During the press conference, held on September 17th in Minsk, Deputy Minister of Foreign Affairs Aliaksei Huryanau stated that Belarus was ready to discuss political and economic issues with the EU and the USA³.

Members of Belarusian parliament participated in the session of the Parliamentary Assembly of the OSCE, which was held in Baku from June 28th to July 2nd. Resolutions containing clauses concerning the immediate release and rehabilitation of all political prisoners, lack of democratic political institutes and absence of democratic progress in Belarus, were passed in the Committee on Political Affairs and Security and in the Committee on Democracy, Human Rights and Humanitarian Questions⁴.

In September Dunja Mijatovich, the OSCE Representative on Freedom of the Media, visited Belarus, and met with the Minister of Foreign Affairs Uladzimir Makei and Minister of Information Liliya Ananich, and took part in a seminar on interaction of law enforcement authorities and media in Belarus. Dunja Mijatovich noted positive steps concerning the solution of the problem of prosecution of journalists and drew attention of state representatives to the problems needing solution: law reform, obligatory accreditation abolition, free access to information, freedom issues in the Internet⁵.

1 http://naviny.by/rubrics/politic/2014/09/22/ic_news_112_443795/

2 <http://news.21.by/politics/2014/09/10/986440.html>

3 http://belapan.com/archive/2014/09/17/eu_727364/

4 http://naviny.by/rubrics/politic/2014/6/30/ic_news_112_438247/print/

5 http://naviny.by/rubrics/politic/2014/09/16/ic_articles_112_186761/

The U.S. Government Interagency Delegation including members of the USAID, State Department, and Department of Defense, was on an official visit in Belarus in September. The delegation held meetings with official representatives of the Ministry of Foreign Affairs, Ministry of Defense, Ministry of Economy, and Ministry of Education. Members of the delegation also met with representatives of civil society, business community, independent media, human rights activists, religious activists, Diplomatic corps, leaders of political opposition, and relatives of political prisoners. During these meetings members of the delegation accentuated their concern about the human rights situation in Belarus, and called for the release of all political prisoners, having accentuated that this issue remained to be an obstacle for more profound and broad cooperation between the countries⁶.

In advance of the Universal periodic review of the United Nations Human Rights Council, which will be passed by Belarus in 2015, a conference on the creation of the National institution, which encourages and protects human rights, was held under the aegis of the Ministry of Foreign Affairs and the United Nations Office in Belarus⁷. The MFA together with the OHCHR held a seminar on rousing hatred, racism, anti-Semitism, and intolerance in media and the Internet, in which state body representatives, media, human rights activists and the UN experts took part⁸.

However, this development of foreign-policy activity, aimed at the development of cooperation with the EU and the USA, was not accompanied with significant steps to improve the human rights situation in the country. The issue of political prisoners remains essentially unsolved, arbitrary detentions of political activists, persecution of journalists and restriction of freedom of peaceful assembly take place.

During his statement, delivered at the 69 Session of the UN General Assembly, Minister of Foreign Affairs Uladzimir Makei said that human rights violation is far-fetched pretext for foisting alien political and economic models⁹.

In September Belarusian organizations submitted their coalitional report to the UN High Commissioner for Human Rights Office within the framework of the Universal Periodic Review. The reports, the coalitional one and individual ones, have been prepared by the following organizations: RHRPA "Belarusian Helsinki Committee", HRC "Viasna", Legal Transformation Center, Assembly of Democratic NGOs of Belarus, RPA "Belarusian

6 <http://euroradio.fm/ru/delegaciya-ssha-potepleniya-otnosheniy-posle-vizita-v-minsk-ne-proizoshlo>

7 <http://unfpa.by/ru/resources/gendernoe-ravenstvo/stati/poyavitsya-li-v-belarusi-ombudsmen-po-gendernomu-ravenstvu/>

8 <http://news.tut.by/society/414371.html>

9 <http://news.tut.by/politics/417703.html>

Association of Journalists", RPA "Legal Initiative", "Solidarnasc" Committee, "For Freedom of Religion" Initiative, Office for the Rights of People with Disabilities, Belarusian Documentation Center, The Barys Zvozkau Belarusian Human Rights House¹⁰.

Having noted certain steps aimed at implementation of recommendations, that had been provided after the first UPR cycle and admitted by Belarus, human rights activists expressed concern over the absence of real progress in key problem spheres of human rights situation in the country.

CHAPTER 2. OBSERVANCE OF HUMAN RIGHTS IN BELARUS

FREEDOM OF SPEECH

In the end of the third quarter of 2014 negative tendencies showed themselves in the sphere of freedom of expression.

The biggest concern is raised by the intensification of pressure on journalists, who work on foreign media without an accreditation (their flats being examined by police officers with the sanction of public prosecutors; records on their violation of media legislation being made; they are being made administratively liable).

The following events influencing the freedom of speech situation, that happened from June to July, should be marked out:

- injunction against the use of its trademark by the satellite channel TV-channel "Belsat" to use this name
- detentions of journalists
- formation of the committee on the evaluation of information product for signs of extremism.
- blocking and hacking of sites and prosecution of internet activists.

Court injunction against the use of its trade mark by the satellite channel "BelsatTV" in Belarus

On September 4th Supreme Court of the Republic of Belarus prohibited Telewizja Polska (founder of the TV channel "BelsatTV") from using trade mark "Belsat", having satisfied the claim of the owner of the Belarusian firm "BELSATplus" Andrei Beliakou. Initially the Chamber for Intellectual Property Disputes of the Supreme Court of the Republic of Belarus dismissed the claim of Andrei Beliakou and issued its verdict in favor of the satellite channel. But in half of the year, in June 2014, the Presidium of the Supreme Court of the Republic of Belarus overruled this decision and remitted the action for fresh investigation because of insufficient, in the Presidium's judgement, examination of

¹⁰ <http://www.belhelcom.org/ru/node/19658>

evidence. On September 4th the court prohibited the satellite channel to use the mark "BELSATtv BELSAT" when broadcasting to the territory of Belarus and on the TV channel site which is accessible to the Belarusian Internet users.

On Michail Yanchuk's¹¹, the Belsat representative in Belarus, despite the court decision, "there are no legal mechanisms for the legal execution of this judgement". "This trade mark is officially registered on the territory where we carry on business, i.e. the European Union and Poland in particular. And the trademark defense is conducted on territorial principle", explained Yanchuk. According to Yanchuk, Belarusian court rejected the argument of the advocate that this action was outside the jurisdiction of Belarusian courts, and also decided that "Belsat" acted on the territory of Belarus." Though officially we do not have any accredited journalist here, any property, any office", noted Yanchuk.

Persecution of journalists for contributing to foreign media without accreditation

On September 16th in Mogilev police officers made an inspection of flats of local journalist Ales Burakou and his parents. During these inspections that had been sanctioned by a public prosecutor, computers and system units owned by the journalist and his family were seized. The journalist is blamed of the publication of his article on the site of Deutsche Welle without an accreditation from the Ministry of Foreign Affairs. On September 30th two notebooks and a system unit were returned to the journalist. The other system unit is still to be returned by the police. On October 8th an action on the administrative violation of the article 22.9 of the Administrative Violation Code ("Violation of the media legislation") was considered. Ales Burakou was fined 40 base values (more than €450). A day before a freelance journalist Andrei Mialeshka was fined 35 base values (about €390) for the violation of the same article of the Administrative Violations Code.

The fact calls attention that these inspections of flats of Ales Burakou and his parents, and the seizure of their office equipment (as well as the detentions of three journalists in Minsk in the same day) were carried out during the visit of Dunja Mijatovich, the OSCE Representative on Freedom of the Media, to Belarus. The issues of accreditation of journalists and of interaction between the press and law enforcement officials were the focus of attention of Dunja Mijatovich and the Belarusian officials who received her, but this fact did not prevent the violation of journalists' rights.

On September 25th in Babruisk (Minsk region) journalist Maryna Malchanava was fined an equivalent of €350 for carrying out professional activity without an accreditation. The court and the police considered the publication of an article, signed by her name, on

¹¹ The TV channel "Belsat" is an international satellite channel, founded in 2007 under the treaty between Polish Ministry of Foreign Affairs and Polish television (Telewizja Polska). The channel broadcasts to Belarusian audience. Since the foundation of the channel Polish television has been trying to achieve the legal status in Belarus, but these attempts have been unsuccessful. The journalists who contribute to the channel (as well as to other foreign media) are constantly being given warrants by prosecutor's office and the KGB. Since spring 2014 they are constantly being fined for activity without an accreditation by the Ministry of Foreign Affairs.

the site of the TV channel "Belsat TV" to be "illicit fabrication and distribution of media production".

It is the ninth attempt to make a journalist administratively responsible for his work without an accreditation this year (they only had been warned by the prosecutor's office before). Six journalists (including Malchanava) were fined, one action is withdrawn due to the expiration of the period of calling to account, and two more actions are still in the police and it is so far unknown whether they will be considered. Six more journalists have been warned by the public prosecutor's office for the contribution to foreign media without an accreditation since the beginning of the year.

On September 26th the public association "Belarusian Association of Journalists" declared that prosecution of journalists, whose names and materials appear in the media, is unlawful. According to the BAJ, such practice violates both domestic legislation and international engagements in the sphere of freedom of expression.

Detentions of journalists

During the period under review the PA "Belarusian Association of Journalists" recorded 7 detentions of journalists by police officers. On all occasions the journalists were released within 3 hours after the detention without a record being made.

24 short-time detentions of journalists altogether have been recorded by the BAJ since the beginning of the year. This number is slightly less than the previous ones. In 2013 more than 50 detentions had been recorded, and in 2012 about 60 detentions had been recorded.

Formation of the committee on evaluation of information product for signs of extremism

Due to the resolution №810 of the Council of Ministers of August 21st 2014 the Republican expert committee on evaluation of information product for signs of extremism was created in Belarus. Regional executive committees were recommended to create analogous committees in each region and approve their memberships.

Media lawyers see the main threat in extremely wide interpretation of such notions as "extremism" and "extremist materials" in Belarusian legislation and practice.

Blocking and hacking of sites

During the period under review a few attempts to limit the dissemination of information in the Internet were recorded.

On July 31st editorial board of the International consortium "EuroBelarus" declared that that their site was attacked by hackers. During a few days unidentified persons had been publishing provocative materials concerning Ukraine events on the site www.eurobelarus.info and spreading them actively in social networks. According to the editor Andrei Aleksandrovich, the attack was launched on July 24th.

Site employees link these events with an active position of the editorial staff in its coverage of Russia-Ukraine conflict: since the first days of the confrontation a special rubric "Ukraine events. View from Belarus" is actively filled.

On August 14th the state monopolist provider blocked the access to the site charter97.org from Belarus. The visitors were letting the editorial staff know that they could not get in the site, but the site still could be accessed with the help of proxy server. The problems had been registered during the whole day.

Criminal prosecution of the blogger's family

On July 15th Aleh Zhalnou, a blogger from Babruisk (Mogilev region), learned that a criminal action was initiated against his wife on charges of violence or threat of using violence in respect of a law enforcement official (Article №364 of the Penal Code).

The blogger claims that his wife fall a victim of acts of aggression of the officers of the Department of Internal Affairs, who were making a search in the Zhalnou's flat in the end of May of the current year. According to him, his wife tried to shut the door in front of the police officers who were breaking into the flat without the production of warrant. The woman was thrown at the floor, and one of the police officers claims that she "used violence" against him (bit him).

On July 22nd the court of Babruisk convicted Aliaksei Zhalnou, the son of Aleh Zhalnou, to three years of confinement in an open-type correctional facility and for payment of Br50 million (€3,5 thousand). International organization "Reporters Without Borders" voiced protest in connection with this sentence. "Unable to silence Aleh Zhalnou (a blogger who exposes the violations made by local authorities¹²), the authorities are now targeting his son," said Johann Bihl, the head of the Reporters Without Borders Eastern Europe and Central Asia desk.

FREEDOM OF ASSEMBLY

No improvement of the situation with the implementation of right to assembly is recorded in Belarus. The authorities keep usually restricting citizens' right to freedom of meetings and assemblies.

Negative established practice of administrative persecution of socio-political activists, who participate and organize peaceful meetings without sanction of the authorities, and prohibitions on peaceful meetings, remain intact.

So in the evening of July 27th an activist of business movement Aliaksandr Makaev was detained by police officers for raising white-red-white flag for the release of political

12 On September 4th 2013 the Zhalnous, father and son, filmed traffic police cars illegally parked by police officers, and made oral statement to the State Automobile Inspectorate officers on that matter. Both of them were detained. The blogger's son was charged of violence or threat of using violence in respect of a law enforcement official (Article #364 of the Penal Code). In February 2014 a suit was filed against the blogger himself. He was charged of the insult of the authority in his blog under the article #369 of the Penal Code of the Republic of Belarus.

prisoners during the traditional public prayer by Red Church on Nezalezhnasci square in Minsk.

On July 28th the Aliaksandr Makaev was found guilty by Maksim Sushko, the judge of the court of Maskouski district, on charges of disorderly conduct (art. 17.1 of the Administrative Violations Code) and disobedience to the police (art. 23.4 of the Administrative Violations Code), and was sentenced to 15 days of administrative arrest.

Homel city executive committee denied an ecological picket to activists of the initiative "Narodny Control" ("People's Control"). Public activists planned to draw public attention to unsatisfactory condition of reservoirs within the precincts of Homel in the context of the action.

Orsha district executive committee prohibited the celebration of Orsha battle. Application for the event was filed by members of the executive committee of the celebration of the 500 anniversary of Orsha battle.

Officially the celebration was prohibited because of the absence of contracts on servicing of the action, made with the police, polyclinic, and housing and utilities sector service. According to the decision of local executive committee, applicant should have made such agreements even before filing their application.

In Mogilev a picket, planned on August 4th, with the request to release political prisoners, was prohibited. Deputy Chairman of Mogilev city executive committee Andrei Kuntsevich informed human rights activists Barys Buhel and Aliaksei Kolchyn that actions of this kind were not allowed to be carried out in the place where the picket should have been held, a spot by Pervomayskaya street 31.

In September Tatsiana Hrachannikava, who had filed an application for a picket of solidarity with Ukraine, was denied by Minsk city executive committee.

The rationale of the answer stated that individual picket would not be conducive to safety of elements of accomplishment and green plantations, and would also be able to disturb pedestrian and vehicular traffic, and to distract drivers from following traffic laws.

Minsk city executive committee refused pickets in favor of ending war in Ukraine, which were to be held by the Russian embassy on September 19th and 20th, to activists of "For Freedom" movement Ales Marchanka and Artsion Liava.

The formal reason for the refuse was that Marchanka and Liava had been previously made administratively liable. On May 6th they had held an unsanctioned action of solidarity with Ukrainian people and against Russian occupation of the Crimea. They were sentenced to 5 days of administrative arrest for it.

Brest city executive committee approved new procedure for the conduct of mass events. It does not provide making the contract with the police in case the organizers undertake to administrate the law on their own.

According to Uladzimir Velichkin, the local human rights activist, it was achieved because of complaints filed by human rights activists and public activists.

In Baranavichi decisions of city executive committee concerning the mass events were also amended. It follows from the letter, which Siarhei Housha, a human rights activist, received from the Brest regional executive committee. The letter № 04-17 / 125, which was signed by the deputy chairman Leonid Tsupryk and sent on September 24th 2014, says that Brest region executive committee instructed Baranavichy city executive committee to bring decision №207 into accord with the Resolution of the Council of Ministers of the Republic of Belarus №207 "On approval of Statute of the procedure of organization of interaction of law enforcement authorities, organizers of mass events and members of the public who meet obligations to maintain public order during mass events" of March 5th, 2012.

According to this resolution, executive committee should provide a copy of the application to the law enforcement authorities on the second day after an application for a mass event had been registered.

In Vitebsk police refuses to make such contracts before the permission to hold a mass event is granted by local authorities to its organizers. Hence the interpretation of the law on mass events by Vitebsk regional department of the Ministry of Internal Affairs comes into contradiction with the provisions of the resolution of Vitebsk city executive committee concerning mass events.

As for Vitebsk polyclinics, they refuse to make contracts for various reasons. The most widespread one is the reference to the absence of available specialists. The other one is the reference to the answer of the Supreme Court saying that serving of mass actions is not on the list of paid medical services.

Decision of the court of Khoiniki region to recognize the complaint filed by Aliaksandr Pratsko about the decision of Khoiniki district executive committee to deny a picket in support of importance of the independence and in expression of solidarity with Ukrainian people to him, as reasonable, and to reverse the decision of Khoiniki district executive committee of July 18th 2014 to deny the picket.

FREEDOM OF ASSOCIATIONS AND THE SITUATION OF THE NON- GOVERNMENTAL ORGANIZATIONS IN BELARUS

July to September 2014 no important amendments to the NGO legislation were made. According to the Resolution of the Council of Ministers of the Republic of Belarus №799 of August 18th 2014, the period of validity of the certificate about the approval of the name of newly created institutions and association has been reduced from three months to one.

During the monitoring carried out in the first half of the year official statistics were published by the Ministry of Justice concerning the registration of public associations and the control of their activity by judicial bodies.

43 new public associations (1 international, 8 republican, and 34 local), 1 international association of public associations, and 4 new local funds were registered January to June 2014. As compared with the first half-year of 2013 total number of registered organizations increased by 3% (from 2492 on July 1st 2013 to 2567 on July 1st 2014). The number of registered funds increased by 5,7% (from 140 on July 1st 2013 to 148 by July 1st 2014).

The Ministry has also noted the increase of the number of organizational structures of political parties and other public associations registered in the country. The number of organizational structures of political parties registered (put on record) in Belarus increased by 3,2% (from 1033 on July 1st 2013 to 1066 on July 1st 2014); the number of such organizational structures of trade unions decreased by 0,7% (from 23039 on July 1st 2013 to 22875 on July 1st 2014) the number of organizational structures of public associations increased for 4% (from 38537 on July 1st 2013 to 40066 on July 1st 2014).

It can also be noted as a positive step that the Ministry of Justice have started to publish the data concerning the verification of the judicial bodies in respect of non-profit organizations along with the statistics of registration of public associations and funds. In particular, according to the ministry, judicial bodies verified the activity of 15 public associations in order to check its conformity with the legislation of the Republic of Belarus and with their constituent documents (charters). On the ground of these verifications some of the organizations were given written warrants. Altogether 51 written warrants were given by the judicial bodies in the first half-year of 2014; 42 of them were given by the Ministry of Justice (9 warrants were given by the regional departments of justice respectively).

Activity of two public associations (1 republican and 1 local) was temporarily suspended judicially for the violations of legislation, 2 local public associations were liquidated judicially at the suits of regional departments of justice.

It should be noted, however, that the statistics of the refusals to register newly created public organizations and funds by the Ministry of justice is still not published. It does not let to assess possible improvement of implementation of the freedom of association.

During the monitoring carried out in July-September 2014 judicial bodies registered 28 public association (namely 20 sports ones, 1 caravanner, 1 of aviation lovers, 1 entertaining, 1 cultural, 1 of the Investigation Committee veterans, 1 for legal assistance to the consumers, 1 of honorary consuls), 6 funds, 13 non-governmental institutions.

At the same time a number of refusals to register funds and public associations were recorded, including human rights ones, during the monitoring.

In July the Ministry of Justice denied registration to Republican human rights public association "Movement for the implementation of International Covenant on Civil and Political Rights" (Association "Covenant"), created in an effort to facilitate implementation of decisions ("considerations") of the United Nations Human Rights Committee. The

reasons for such decision were complaints of the Ministry against the list of the founders of the association, in particular, not indicated work phones of some of the founders, and mistakenly indicated number of the flat of one of the founders. The Ministry has also indicated the absence of the annex to the protocol of the constituent assembly with the list of founders present on it as a reason for the denial. The founders of this public association filed a complaint to the Supreme Court, but the Supreme Court dismissed it and found the denial lawful on September 30th.

On July 16th Minsk city department of justice denied registration to the public association "Society for support of extreme expeditions and prevention of emergencies "Pole". The registering body indicated the absence of a document which would confirm that the lessor was entitled to demise the premises for a leading body of the organization as a reason for the denial (according to the legislation no such document has to be provided).

Because of such reasons related to challenge of the competence to provide legal address, registration was denied to a number of non-profit organizations. The main Minsk city department of justice denied registration to the Local fund for support of social and business ideas "Startidea". Main Grodno region department of justice denied registration to Cultural educational public association "Spadchyna" ("Heritage").

On September 2nd Ministry of justice denied registration to the Republican public association "Krayovae abyadnanne litsvinau" ("Regional litvin association"). The reasons for the denial were a few obviously far-fetched complaints against the list of founders: for example, one of the founders lives in the Karl Marx street, while, according to the Ministry of Justice, he lives in the Karl Friedrichovich Marx street. On the ground of such absurd complaints the Ministry declared the list of founders to be invalid, and denied registration to the PA. It is the fifth denial to register this public association. The founders filed a complaint to the Supreme Court against this decision of the Ministry of Justice.

In September 2014 Main Mogilev region department of justice filed an action to the court to suspend the activity of a public organization "Mogilev human rights center", one of the few registered regional human rights organization, for three months. The reason for the action was the claim against the legal address of the organization, which the judicial bodies had themselves refused to re-register after the application had been filed by the organization. During the trial the organization found a new legal address and filed the documents to register it. The court of Mogilev region should decide the action in October.

In July-August Mikhail Varanets, the head of public association "Voila k razvitiyu" ("Will to Development"), was made administratively liable and fined for the absence of instruction about the recycling of wastes in the organization. This decision was appealed in court and overruled because of procedural irregularity.

In September Party of Belarusian Popular Front was confronted with difficulties when looking for the premises to hold party congress. According to opposition party members, they were refused to rent more than 50 halls of the required capacity. At the same time the owners of both state and private premises demanded the permission from

local authorities to hold the congress, though according to the legislation, meetings of parties and public organizations do not need such permission.

ADMINISTRATION OF JUSTICE

On July 1st amendments and additions were made to the Civil Procedure Code. As it is indicated on the National Legal Internet Portal of the Republic of Belarus, they are aimed at improvement of provisions of the code.

Provisions were added, which regulate features of the consideration and resolution of complaints from citizens against the warrant about a possibility to be sent to a medical-labour centre, and complaints from those being in a medical-labour centre against the penalties imposed on them. The law also makes amendments concerning the procedure of consideration of application for the reduction of the term of being in the medical-labour centre. No such procedure has been in the code before.

Despite the fact that these amendments are positive and are aimed at implementation of the constitutional right of citizens to make a complaint against the state bodies actions, these amendments only accentuate non-medical, punitive nature of the approach to the alcoholism in the country.

On July 11th the Supreme Court published Short statistics about the administration of justice by regular courts during the first half-year of 2014. It calls attention that an extremely low number of verdicts of not guilty has been passed. Only 57 people were found not guilty after the consideration of 19804 criminal actions and passing of sentences. Thus the percentage of verdicts of not guilty is 0,2%, which is an extremely low figure, and it keeps decreasing (for comparison, in 2013 the percentage of verdicts of not guilty was 0,4%). 4985 of convicts were deprived of liberty (24% of the whole number of punishments prescribed); 3428 convicts were arrested (17%); 1234 convicts were restrained of liberty and sent to open-type correctional facilities (6%). Thus 47% of the punishments prescribed provide high degree of isolation of the convicts. This number is rather high in the context of the activity aimed at the expansion of practice of prescription of alternative punishments, declared by the Supreme Court.

According to the data provided by the Supreme Court, 427 verdicts were reversed in the exercise of supervisory power or under cassation procedure in the first half-year of 2014. 434 verdicts were changed.

The statistics of consideration of administrative actions also call attention. During the first half-year of 2014 rulings on administrative violations were made in respect of 150 114 people. Though alternative jurisdiction of the actions about disorderly conduct and drinking alcohol in public places was introduced (since the beginning of 2014 heads of the internal affairs bodies were vested to make a ruling on such actions upon approval of the person), the number of such actions is still a significant part of the whole number of administrative actions considered by the courts (drinking alcohol – 20%. disorderly conduct – 19%). At the same time the part of such actions decreased a bit in comparison

with the previous period, when the internal affairs bodies had not been making rulings on such actions (30% and 29% in 2013, accordingly).

In 14% of the actions courts imposed an administrative arrest as a penalty after the consideration of an administrative case; in 83% they imposed a fine.

During the period under review the practice of informing the public about the results of consideration of the most important and notorious actions continued. In the first place these are corruption trials, drug trafficking trials, and notorious murder actions.

Publication of the statistics by the Supreme Court and informing the public the results of consideration of worthwhile actions is a positive practice which is aimed at the implementation of the constitutional right of citizens on information and makes the court activity more open to the public.

On September 25th the session of the Plenum of the Supreme Court of the Republic of Belarus was held. It was devoted to the analysis of the practice of application of provisions of the general Part of the Administrative Violations Code of the Republic of Belarus. The Plenum of the Supreme Court considered questions of application of the provisions of the General Part of the Code by the courts. As it was mentioned in the respective press release of the Supreme Court, "it is the first so large-scaled analysis of the effective Administrative Violations Code in the history of Belarusian legal proceedings. The Plenum of the Supreme Court of the Republic of Belarus has also considered questions concerning the application of administrative arrest by courts, and questions concerning the observance of administrative penalties, withdrawal of such actions, because of their pettiness as well, administrative responsibility of legal entities, and other questions which are important for forming uniform court practice".

Despite the positive processes taking place in judicial authority, it should be acknowledged that courts are still extremely dependent on executive authority and are sometimes a tool for the persecution of dissidents. During the period under review actions of making politically motivated court rulings on administrative actions in respect of the activists were recorded, though the number of such rulings decreased in comparison with the previous periods.