



SOLIDARITY ACTION
**INDEPENDENT
TRADE UNIONS
IN THE LINE OF FIRE**

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During the tumultuous events of August 2020 many people chose to express their peaceful opposition to the election results at their workplace, through industrial action. Some faced administrative detention, and some criminal prosecution for exercising their right to freedom of peaceful assembly. For many it was a turning point at which they realised how little support they had from official trade unions. They attempted to set up independent trade unions, and in response they faced reprisals in the workplace.

Belarus joined the International Labour Organization (ILO) in 1954 and is a state party to all the fundamental ILO conventions. However, despite this fact workers' rights are frequently violated. Since 1999 all workers at state enterprises (90% of the working population) have been put on renewable contracts, and the ILO has repeatedly drawn attention to violations of the rights to freedom of assembly and association in Belarus.¹ There are two main trade union bodies in the country: the Federation of Trade Unions of Belarus (FTUB) with four million members; and the Belarusian Congress of Democratic Trade Unions (BCDTU) which was set up in 1993 to unite the growing number of independent trade unions such as the Belarusian Independent Union (BNP). The BCDTU has a membership of 10,000. FTUB is the successor to the Soviet Belarusian Republican Council of Trade Unions, and it retains many of the characteristics of Soviet trade unions such as the participation of managers and government representatives, including ministers and deputy ministers, directly in the decision-making of trade union bodies. In this environment independent trade unions face enormous challenges in attempting to register, and their members are subject to discrimination at the workplace as the following stories illustrate.²

In Belarus, following the disputed presidential election on 9 August 2020, hundreds of thousands of people across the country took to the streets to protest the results. The incumbent Alyaksandr Lukashenka claimed a landslide victory, while Svyatlana Tsikhanouskaya emerged as a popular candidate for protest voters. Peaceful protests continue across the country – and reprisals against protesters continue too, with frightening regularity and increasing severity. Riot police have used unlawful force against peaceful protestors and thousands have been detained solely for protesting peacefully. Allegations of torture and other ill-treatment in detention are widespread. Over 30,000 people have been detained under administrative legislation for taking part in peaceful demonstrations and an increasing number of peaceful protestors are being prosecuted under criminal charges and sentenced to long prison sentences.

The shocking government clampdown on dissent in Belarus demonstrates a blatant disregard for human rights: women and children, artists, pensioners, athletes, students and academics, trade unionists and other groups have all been targeted. In its #StandWithBelarus campaign, Amnesty International is highlighting some of the human rights violations each of these groups has suffered, illustrating the deep-rooted and pervasive nature of government repression in Belarus.

¹ See Observation (CEACR) - adopted 2020, published 109th ILC session (2021), https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:4060452:NO

² See above, the ILO CEACR has called on the government 'to refrain from showing favouritism towards any given trade union and to put an immediate stop to the interference in the establishment of trade union organizations'. The Committee found that 'the current situation in Belarus remains far from ensuring full respect for freedom of association and the application of the provisions of the Convention.'



VADZIM LAPTSIK

“I reached the point of no return. I went to bed on 9 August and I woke up on 10 August in a new country. I saw the horror that was happening around me and I understood that I could not be the person I was before. I could not go back.”³

On 21 January Vadzim Laptsik was dismissed from his job as a senior specialist at the Belarusian Metallurgical Factory in Zhlobin and has been forced to leave Belarus because he is threatened with criminal prosecution for his independent trade union activities. Four other members of the founding committee for a branch of Belarusian Independent Trade Union (BNP) have already been convicted and three are serving between two-and-a-half and three-year prison sentences.



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In August 2020, the workers at the factory started to hold short strikes to put forward the demands that were being echoed throughout the country - the resignation of Lukashenka and the chair of the Electoral Commission, an end to the beating of peaceful protestors, and accountability for police brutality. Initially they were supported by the pro-government trade union, a member of the FTUB:

“At that moment there was a national uprising and people really thought it would change, the official trade unions were with us. They also hoped that things would change, but later when the people with epaulettes arrived – the ministry of interior, the KGB – they explained to them (the official trade union officials) how they should behave. How to save their skins.”

The management of the factory and the local authorities rejected the workers' demands and denied that there had been any beatings by law enforcement officers on the streets. Then after a strike on 17 August, when the workers blocked access to the factory for three hours, they learnt that a criminal investigation had been started against them.

³ <https://belnp.org/ru/news/open/uvoleny-dva-aktivista-nezavisimogo-profsoyuza-na-zhlobinskom-bmz>

Vadzim Lapsik left the official trade union and started the procedure to set up a branch of the BNP:

“We felt betrayed – until then the (pro-government) trade union was there but it didn’t do its job very well and they were on good terms with the factory management. When we started the strike we understood that we had been betrayed.”

They formed a BNP founding committee of 11 people with Vadzim Lapsik as Chair, and on 7 December they agreed with a local property developer that he would provide the trade union with premises for their legal address. However, the following day the property developer was visited by local officials who pressurized him not to offer the premises. His business then started to be subjected to checks and investigations and he was threatened with large fines and was forced to withdraw his offer. Without an address, the union could not register.

On 2 November, three workers at the factory including Ihar Pavarou, a member of the independent trade union, were remanded in custody and accused under Article 342 (1) of the Criminal Code (organization and preparation of actions which gravely violate public order, or active participation in such actions) for their participation in the strike action on 17 August. A fourth defendant left the country before being detained. According to Vadzim Lapsik, the four workers were chosen because they were the ones who were most visible in the videos of the events shown in court as evidence against them.

However, Vadzim, and other members of the organizing committee were also subject to retaliatory action as they started to be subjected to disciplinary procedures at work. On 6 January, Vadzim was handed a disciplinary complaint letter signed by the Director of the company because he had taken a photograph in his office, this was followed by two more complaints against him.

“I had never had any problems at work during the 10 years I had worked at the company and in the course of one month there were suddenly three complaints against me.”

On 21 January Vadzim Lapsik was dismissed from his job without any warning. The official reason given was absenteeism because he had visited the medical department of the factory on 6 January without a pass. The next day he received a notification that he was being investigated under Article 342 of the Criminal Code for preparing actions that “gravely violate public order”. On 24 January he fled the country.

On 1 February Ihar Pavarou was sentenced to three years imprisonment and a further two workers received two-and-a-half year sentences.

VOLHA BRYTSIKAVA

“By joining the BNP we were putting a target on our backs. It is hard to be a target for beating. We wanted to be seen. We wanted people to know that our rights had been violated and we wanted to defend our rights. In some cases the fear of not being heard overcame the fear of losing your job.”



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Volha Brytsikava, was the head of a sales department at the Naftan Petrochemical Factory in Navapolatsk, but she was fired from her job on 4 December because of her trade union activity.

Until the events of August 2020 she had not known that there was a branch of the BNP at the factory, but as for many people in Belarus, August was a turning point in her life.

“We felt that we had been tricked and betrayed and I decided to express my opinion. Until August many of us thought things were not so bad, but everything got worse on 9 August and then on 10, 11, 12 August things got drastically worse when peaceful people who were only expressing their dissatisfaction with the results of the elections were beaten.”

Volha decided that she could not remain silent and she began to realise that there were many people who thought like her at her workplace and in her neighbourhood. It was Volha Brytsikava who read out the demands of the workers to the management of the factory on 17 August.

A crowd of 1,500 employees gathered outside the offices of the management. The Head of the State Control Committee was also present at the meeting and refused to recognize the crowd as factory employees even though they waved their factory passes. The employees then collected signatures in support of their demands to prove that they were all employees. After the demonstration they were able to collect 2,500 signatures despite the fact that the management started to put pressure on employees not to sign, and distributed leaflets threatening criminal prosecution for attempting to overthrow the state.

On 20 August, Volha along with two other employees and three representatives of the official trade union counted the signatures and drew up a report. When the head of the official trade union refused to sign the report Volha realised that this union was not on the side of the workers.

“I saw how the leader of the official trade union was dependent on the employer.”

Volha joined the branch of the BNP on 28 August and in September she was elected as chair of the branch, a position she still holds despite having been fired from her job at the factory. The BNP had been registered at the factory since 1993 but it had only 60 members until the events following August 2020 when the membership numbers increased significantly.

The management started to put pressure on those workers who had been active in the protests and who had declared strikes in violation of Belarusian legislation to support their demands. They were given warnings for violations of work discipline and procedures, accompanied by threats not to have their contracts extended. The BNP tried to defend the rights of workers, but the union was excluded from Work Dispute Committees.

Volha herself was disciplined and denied her bonuses for a year for absenteeism for the time she spent counting the votes, although she had received permission from the Head of the Personnel Department to take the time off. On 4 December she was fired from her job. She described the absurdity of the situation in which she found herself. The official reason for her dismissal was that she had been denied access to official secrets and because she needed access to secret files once or twice a year in the course of her work, she could no longer carry out her role, and the Labour Code permitted her employer to fire her. She has appealed against the dismissal and demanded to see the reason why she was denied access to official secrets, but she has not been allowed access to the document explaining why she was barred from official secrets.

SYARHEI CHARKASAU



“My wife is afraid that they will put me in prison, but I believe that I am not alone, there are many of us, we are the majority. I don’t want to leave the country. What would I do abroad at the age of 55? Here I feel needed by my family, my friends, and the people I work with in the union.”⁴

⁴ <https://belnp.org/ru/news/open/pochemu-ne-udalas-zabastovka>

Starting out as a miner Syarhei Charkasau has worked for over 30 years at one of Belarus' largest companies, the potash mining company Belaruskali⁵ in Salihorsk. The company employs 16,000 people and produces one fifth of the world's potash fertilizer. He has been a member of the Belarusian Independent Trade Union (BNP) since its foundation in 1992 and is currently the deputy head of the branch. Since August 2020, he has spent a total of over 45 days in detention because of his participation in strike action at the mine, and he was dismissed from his job on 29 September 2020 for absenteeism because of his participation in the strikes.



The workers of Belaruskali declared an indefinite strike on 17 August 2020 following the demonstrations against the results of the elections on 9 August. They put forward the same demands as workers throughout the country:

“People were upset by the unfair elections. Many people had suffered, they had been beaten, and many were arrested – so our demand was to release everybody and to punish those who had used violence.”

At first there were 6,000 participants in the strike but the numbers began to fall off due to multiple pressures: “There were cases of threats, but people have families, they have obligations, debts and responsibilities.” By the beginning of September only 23 strikers remained.

On 10 September, Syarhei Charkasau took part in a picket to support Yury Korzun, a miner who chained himself to a piece of equipment 300 metres below the surface of the mine demanding the resignation of President Alyaksandr Lukashenka. The following day, the management of the mine declared the strike on 17 August to be illegal because it did not comply with draconian strike legislation thus making it possible to fire those who had taken part for absenteeism. Syarhei Charkasau was arrested on 13 September just as he was leaving his apartment to take part in the Sunday demonstration. He was sentenced to 15 days administrative detention for violating the procedures for holding mass meetings. The day after he was released, on 29 September, he was informed that he had been dismissed from his job for absenteeism for his participation in the strike declared on 17 August. Sergei was arrested again on 3 October when the inhabitants of Salihorsk had invited people from other cities to join them in a demonstration in a local park. Riot police arrested about 25 participants including Syarhei. He was again sentenced to 15 days administrative arrest, and on the day of his release, 18 October, he was sentenced to a further 15 days for his participation in an action on 31 August.

⁵ <https://www.kali.by/en/>

Syarhei Charkasau was shocked by the conditions in the police detention cells where he served his sentences. Most of the time he was in a cell designed for eight detainees with up to 19 other people. Some cells had only a bucket for a toilet and no basin.

“The whole penitentiary system will have to be reformed. Holding people in such conditions is inhumane, it is simply torture regardless of how long you are held there.”

Syarhei Charkasau has appealed against his dismissal on the grounds that it was conducted unfairly without the agreement of the union: “The fact that they could fire workers without the agreement of the union is confirmation of the fact that they violate the rights of workers and trade unions. They interpret the law the way that suits the employer and the court agrees with this”.

Syarhei continues to work in the trade union and is now living off his pension.

VITALI CHICHMARIOU

“We want to see real trade unions working as they should. Ever since the times of the USSR, trade unions are doing something completely different from what they should and that is why we are holding trainings explaining what a trade union should do.... I am hopeful. I don't know how successful it will be, but I will do all I can to develop the trade union movement in Belarus.”



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Vitali Chichmariou was the Head Engineer Constructor at the Kazlou Electrotechnical plant in Minsk and was dismissed from his job after 22 years' service because of his attempts to set up an independent trade union. Like most people, he had been a member of the official trade union but the protests inspired him to try and set up an independent trade union when he became disillusioned with the official one:

“When you start at the factory you have to join the [official] trade union. I didn’t think about it – you pay your dues, but I never used the free tickets or other benefits apart from the New Year present for my daughter. They give bonuses for New Year and for International Women’s Day on 8 March. The interesting thing is that this is money from the factory – earned by all of us. We said this was discrimination and applied to a court about it but we lost the case.”

In October 2020, Vitali and his colleagues held the founding meeting of an initiative for a new independent union called the Free Trade Union of Metal Workers (SPM). Vitali was elected as Chair of the group. On 12 October, they recorded a video accusing the official union (Belprafmash) of failing to defend their rights, and announced they were leaving. In order to register they needed to have an official address for the union and they asked the factory to provide them with an address: “We wrote to the director [of the factory] twice asking for premises and twice we were refused. They started to ask us for lists of members and we didn’t want to distribute our lists because we knew it would have meant dismissals from work”.

All the workers who had been active in the SPM started to come under pressure. The management threatened them with disciplinary procedures or criminal prosecution for financial irregularities and at least one employee resigned as a result. Vitali Chichmariou was being monitored closely at work. “I was being followed and monitored. I spoke to workers only in the presence of management to ensure I only talked about work. I could only visit another department for five minutes or I would be told to return to my place of work. It had been like this since August, then when we started the initiative group for the trade union it got worse.”

On 21 October, a member of the initiative group, Mikhail Marynich, and the head of the SPM, Alyaksandr Bukhvostau, met with the director of the factory to discuss the address. Within three hours Mikhail Marynich was told to self-isolate because he had allegedly been in contact with somebody who had COVID-19. He never returned to his job and was dismissed when he returned from sick leave a few weeks later.

On 26 October, there was a nation-wide strike with political and economic demands. Two workshops at the factory joined the one-day strike and on 27 October twenty-six people who had joined the strike were dismissed. Vitali Chichmariou was on leave at this time – the leave had been booked in advance and could not be cancelled. When he returned to work on 2 November, he found that his pass no longer worked and he was told that he had been dismissed for causing financial losses to the factory, equivalent to three month’s salary, by organizing the strike. Vitali appealed to the district court against his dismissal pointing out that he had not taken part in the strike, and demanding to see the proof of the losses, but this appeal was rejected. Three of those accused agreed to a peaceful settlement with the management of the factory, but on their first day at work they were asked to record a confessional video, they refused, and were therefore not reinstated.

Vitali is now working as a protestant pastor in Minsk and helping to train trade unionists in Belarus.

⁶ Alyaksandr Bukhvostau has faced reprisal for his trade union activity over many years and has featured in Amnesty International campaigns: <https://www.amnesty.org/download/Documents/96000/eur490042004en.pdf>

JOIN OUR SOLIDARITY ACTION

1 Take or create a picture of a flower.



2 Write a solidarity message in support of Belarusians.

3 Post this image on your Instagram, Facebook or Twitter.



4 Tag @amnesty and we will share.

5 Use hashtag #StandWithBelarus.