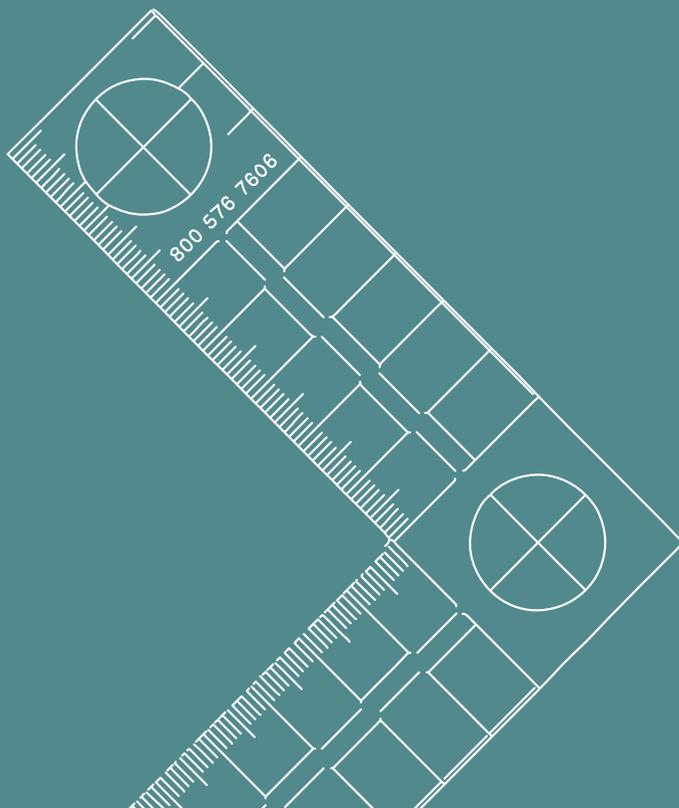


HAVE YOU BEEN ILL-TREATED BY THE POLICE OR SECURITY FORCES?

DOCUMENTATION AND REPORTING ON ILL-TREATMENT
A PRACTICAL GUIDE FOR VICTIMS



WHO CAN USE THIS GUIDE?

This guide is for persons who have experienced violence and other abuse by the authorities and wish to document and report their case. The guide has been developed in order to assist lay people in the current context of Belarus where there is limited access to legal assistance and documentation services aimed at ensuring access to justice. Persons under 18 years of age should not use this guide without the support of an adult.

If you have experienced abuse by the authorities (e.g. police or security forces or prison officers), such as physical violence and/or psychological pressure, this guide explains how you can document your case. You may want to report your case to the authorities now or you may be in doubt and decide on this later. In any case, it is important that you document your physical injuries and your testimony as soon as possible to ensure that the evidence is preserved. This is because physical traces of injuries, as for example bruises and wounds, quickly disappear and your recollection of the events may also become poorer with time.

Why is it important that you document...

Your documentation may improve your chances in your pursuit of justice – whether through litigation, advocacy done by civil society, rehabilitation or for historical record. You need not know every detail of the law or the processes to effectively do this. But it is important to know that the success of pursuing justice depend on establishing what happened through evidence. Much can be achieved through your own efforts in collecting the evidence, for instance your own description of the violence and your own photos of the injuries. It is also important to be aware that there is a real chance that documentation efforts fail to have results because of issues with the legal system or political interference.

This guide will take you through the practical steps of documentation and provide you with contact information on a local organization that offer legal assistance, psychological and medical support.

Potential risks

It is important to understand that your actions may put you at further risk of being targeted by the authorities. You may also put other people at risk, if you choose to involve them.

While you wait to report or if you are unsure about what to do you can...

1. Photo document your injuries (bruises, wounds etc.) as soon as possible
2. Write down or audio record your experience (what happened?)
3. Save a copy of your medical record (if any)
4. Protect and store the clothes you wore during the abuse

1. PHOTO DOCUMENT YOUR PHYSICAL MARKS

If you wish to photo document your injuries, please do the following to improve the quality of the photos and thereby the quality of evidence:

- **Always take colour photos**
- **Always use a measure in the photos**

You can use a ruler (see photo example). If a photo doesn't have a measure it is impossible to know the size of the injury. The ruler should be placed next to the injury and not covering parts of the injury. (see photo example 1).

- **If possible, use a camera with date and time**

Alternatively, you can have a photo taken of your injury with a recent newspaper and/or write the date on the ruler you use in the photos (see photo example 1). The date of the photo is important as it is crucial for a later assessment of the physical marks.



Photo example 1

- **Take more than one photo and different types of photos such as**

- Your full body – for identification and overview.
- For each physical injury take photo(s) from a distance showing the position of the physical injuries on the body (see photo example 2). This permits the viewer to see clearly which part of the body has been injured.
- For each physical injury take close-up photo(s) (see photo example 1).

Sometimes bruises will only appear some time after the injury was inflicted and it may change size and colour. In such circumstances, it can be a good idea to continue the photo documentation and make sure to document the date of the photos.

- **Take photos of your clothes**

If possible, photograph the clothing worn on the day(s) of the injury, especially if the clothing shows evidence that violence took place, as for example blood, holes etc. Use the ruler as well when you take photos of your clothes.



Photo example 2

2. HOW TO WRITE DOWN OR RECORD YOUR EXPERIENCE (WHAT HAPPENED?)

Write down, audio-record or audio-video record what you have been exposed to, since it may become difficult to remember details after some time.

Examples of details you could write down:

- the date and time (e.g. the police violence, the arrest/detention, the violence by prison staff)
- the location and movements (e.g. place of police violence, place of arrest/detention)
- perpetrators (names, identification number, uniforms, what they looked like, what they said)
- witnesses (their names, what they looked like)
- how you were treated (describe your treatment when you were in contact with police and/or while in detention)
- how you felt (e.g. fear, humiliation)
- how it has affected your health physically (e.g. pain, difficulties to breathe)
- how it has affected you psychologically (e.g. fear, nightmares, sleeplessness, flash backs etc.)

3. SAVE A COPY OF YOUR MEDICAL RECORD (IF ANY)

If you have been to hospital or the emergency room you can ask to get a copy of your medical record. A medical record could help document what kind of injuries you have sustained and may include a description of physical signs of violence. Any similar document from the police or security forces could be important and should be kept.

See the following example of how injuries could be documented. Be aware that the case example is very detailed. Less details would also work. Your experiences may also be different and less severe than the case example.

EXAMPLE OF DOCUMENTATION OF INJURIES INFLICTED BY THE AUTHORITIES

On 20 August 2020, I was arrested by the riot police during protests close to the metro station Pushkinskaya by 3 officers (in black uniforms).

On arrest, I was

- *Slapped in the face, punched in my stomach and on the bag, and kicked on my legs. I was also beaten with truncheons on my lower back, arms, legs and head*
- *Threatened with rape*
- *Handcuffed*
- *Taken to a police van with 3 other demonstrators (names ...)*

During the transport, I was

- *Blindfolded, insulted, threatened and hit in the stomach.*
- *Driven to a detention centre in the outskirts of Minsk (name ...)*

At the detention centre:

- *I was detained for 3 days (20 august at 3.15 pm and until 23 august at 8.45 pm).*
- *I was placed with approximately 20 other people in a small 2 bed-cell (underground with no windows, measuring 4m x 3m with no toilet).*
- *Some of the people in my cell were people I knew from my neighbourhood (names).*
- *During my detention I was beaten by prison staff twice:*
 - *Beaten with truncheons towards the entire body including my head*
 - *Electro-shocks on my legs*
 - *Forced to listen to screams of others being beaten and threatened with death*
- *The prison staff also threatened me not to complain about the beatings.*
- *I was denied food, water and access to toilet facilities and medical care*

After those three days I was released. Before these events, I had no injuries and was in perfect health, but since the arrest I suffer from:

- *Dizziness, panic attacks, sleeplessness and nightmares about my experiences while detained*
- *Pain in my back and stomach, Difficulties walking due to pain in my back and legs where I was beaten, blood in my urine, bruises on my ribs, back, legs and arms*

4. HOW TO PROTECT AND STORE THE CLOTHES YOU WORE DURING THE EXPERIENCED ABUSE

If you wish to save the clothes you wore during the experienced abuse, it is important that you don't wash them. Store them preferably in paper bags and not plastic bags.

IMPORTANT!

The process of taking photos of your physical marks and documenting your experiences can be exhausting and evoke unpleasant memories. For some people it can be useful to take breaks and have someone to talk to about the process.

Always store photos, documents, audio recordings, video recordings and clothes as safely as possible. For example, storage on a mobile phone and/or computer might not be safe if there is a chance that it will get confiscated by the authorities - either in your home or if you carry it with you. Also think about digital security in relation to the devices you use.

It is important to understand that your actions may put you at further risk of being targeted by the authorities. Also, that you may put other people at risk if you choose to involve them. Examples of reprisals could include further intimidation, threats, harassment, monitoring, denial of social entitlements and arbitrary arrest.

Think about safety when and if you collect evidence.

WHERE CAN YOU GO FOR FURTHER ASSISTANCE

After experiencing violence and other types of abuse, it is completely normal that you are both physically and psychologically affected and might need to seek care. If you need assistance finding medical or psychological help you can contact Human Rights Center Viasna.

If you would like additional information and guidance on what to do next, you can choose to contact Human Rights Center Viasna for further assistance and advice irrespectively if you choose to use this guide or not. They are already collecting testimony from people who have experienced abuse by the police and security forces. Human Rights Center Viasna can inform you about how they store collected evidence and in what way they use them.

Human Rights Center Viasna offer the following services:

- legal support (provision of legal advice, assistance or/ and representation)
- referrals to healthcare practitioners for medical or psychological support (if needed)

Human Rights Center “Viasna”

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For professionals who encounter people who have been exposed to violence or other abuse by the authorities

If you are a health or legal professional and wish to learn more about documentation practices and medico-legal documentation, please refer to the United Nations Istanbul Protocol, Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. The link to the Istanbul Protocol can be found here: <https://www.refworld.org/cgi-bin/texis/vtx/rwmain/opendocpdf.pdf?reldoc=y&docid=4ac475de2>

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