

AMNESTY INTERNATIONAL

Public Statement

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Belarus: Authorities deny registration of the human rights organization “Nasha Vyasna” for the third time

Amnesty International has written to President Alyaksandr Lukashenka of Belarus to express its concern that the human rights organization, Nasha Vyasna (Our Spring), formerly known as Vyasna, has been denied registration by the Belarusian authorities for the third time. On 12 August 2009 the Supreme Court of Belarus upheld a decision taken by the Ministry of Justice on 28 May to refuse registration to Nasha Vyasna.

The organization, which was founded on 15 June 1999, was liquidated on 28 October 2003 by the Supreme Court, on the recommendation of the Ministry of Justice, which claimed that invalid documents had been presented for registration in 2003, and that the leaders of the organization had violated Belarusian legislation while monitoring the presidential elections in 2001. Since then, the founders of Nasha Vyasna have applied for re-registration three times, but have been refused for a number of reasons. These include the fact that 20 of the 69 founders had convictions for administrative offences for participation in unsanctioned demonstrations and the distribution of illegal publications, the goals of the organization were vague, there were spelling mistakes and errors in the list of founders, the mechanism for electing the Chair and the Secretary was not described, the name of the organization was missing from one document, and the headquarters of the organization were too cramped. In addition to this, the Ministry of Justice claimed that the second half of the name of the organization was not in line with the statute of the organization.

Amnesty International believes that the continuing rejection of applications of Nasha Vyasna for registration is an attempt by the authorities to prevent them from carrying out their legitimate work as human rights defenders. Following the recent decision by the Supreme Court, the founders of Nasha Vyasna have declared their intention to continue their human rights work despite the risk of prosecution that they now face under Article 193.1 of the Belarusian Criminal Code. Amnesty International has previously expressed its concern that this article is used to obstruct activists from peacefully exercising their right to freedom of association. The article was introduced by Presidential Decree in December 2005 as part of a series of amendments that introduced penalties for civil society organizations ahead of the presidential elections in March 2006. According to the article, it is illegal to belong to, or participate in the activities of, an unregistered non-governmental organization. Amnesty International believes that Article 193-1 violates both the Belarusian Constitution and Belarus' obligations under international human rights law.

Additionally, the continuing failure to register Nasha Vyasna has been criticized by international bodies. On 24 July 2007, the UN Human Rights Committee ruled that the dissolution of the human rights organization Vyasna in 2003 had been a violation of the right to association and that the organization was entitled to an appropriate remedy including re-registration and compensation. On 23 June 2009 the Parliamentary Assembly of the Council of Europe (PACE) adopted a resolution which, among other things, calls on the Belarusian authorities to ensure the respect of freedom of association by allowing registration of the human rights organisation Nasha Vyasna and by repealing Article 193.1 of the Criminal Code.

In its communication with the Belarusian President, Amnesty International called on the Belarusian authorities to allow the registration of human rights organization Nasha Vyasna, to abolish Article 193-1 immediately, and to allow people to exercise their right to freedom of association free from harassment and intimidation.

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For more information please call Amnesty International's press office in London, UK, on +44 20 7413 5566 or email: press@amnesty.org

International Secretariat, Amnesty International, 1 Easton St., London WC1X 0DW, UK
www.amnesty.org