



AMNESTY INTERNATIONAL BELARUS: APPEAL CASE

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Right to freedom of assembly: Prominent opposition activists sentenced

In the most recent report on Belarus, *Belarus: suppressing the last voices of peaceful dissent* (AI Index: EUR49/004/2005), Amnesty International expressed concern that the Belarusian authorities are clamping down on peaceful opposition with renewed confidence and are increasingly defiant of international criticism. The sentencing of three prominent opposition activists in May and June appears to confirm this trend.

Nikolai Statkevich and Pavel Severinets



Pavel Severinets at the Freedom Day March in October 2004, ©Charter97

On 31 May 2005 **Nikolai Statkevich**, chair of the social-democratic opposition party *Narodnaya Hramada*, and **Pavel Severinets**, head of the youth wing of the Belarusian *Popular Front*, were sentenced by Minsk Central District Court to three years of corrective labour under Article 342 of the criminal code for organizing protests in Minsk after the referendum and elections in October

2004. As a result of an amnesty declared in connection with the 60th anniversary of the Second World War, the sentences were automatically reduced to two years. At the time of the trial Nikolai Statkevich was in detention after being held for contempt of court, because of his refusal to stand up during the trial. He has refused to appeal in protest at the injustice of the legal process. Pavel Severinets remains at liberty pending his appeal on 28 June.

Nikolai Statkevich has repeatedly been adopted by Amnesty International as a prisoner of conscience because of the numerous times he has been detained for taking part in peaceful opposition demonstrations. Pavel Severinets has also been an active opposition activist for many years and has featured in Amnesty International reports and press releases, because he has been detained and fined for expressing his political views.

On 7 June 2005, the UN Special Rapporteur on the situation of human rights in Belarus, Adrian Severin, issued a statement expressing deep concern about and strong condemnation of the sentencing of Pavel Severinets and Nikolai Statkevich under Article 342 of the criminal code.

Andrei Klimov

Andrei Klimov at his trial in Minsk in June 2005

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On 10 June 2005 Andrei Klimov, a long-standing outspoken critic of President Lukashenka and former deputy of the parliament that was dissolved by President Lukashenka in 1996, was sentenced by Minsk Central District Court to a year and a half of “restricted freedom” under Article 342 of the criminal code for organizing mass protests in Minsk on ‘Freedom day’ on 25 March 2005. The sentence stipulates that Andrei Klimov must live in an area outside Minsk under special police surveillance, and must perform ‘community service’. Andrei Klimov was released after the hearing pending his appeal. Investigations are still

ongoing against him under another charge - for libel against the president for three books and numerous leaflets that he has published. The date of the court hearing for that charge has yet to be announced. Andrei Klimov was adopted by Amnesty International as a prisoner of conscience when he was sentenced to six years’ imprisonment in a hard labour colony for alleged fraudulent business practices in 1998. He served four years of his sentence before being released. Amnesty International believed that Andrei Klimov, like other members of Belarus’ opposition, was deliberately targeted by President Alyaksandr Lukashenka to punish him for his high-profile role in opposing the forced dissolution of the democratically elected parliament in November 1996 and in the attempted impeachment of the President.

Background:

Amnesty International is concerned about the increased risks citizens face for criticizing the government of Belarus. The authorities have chosen to prosecute Andrei Klimov, Nikolai Statkevich and Pavel Severinets under the criminal code as opposed to under the administrative code, which carries lighter sentences. The organization believes that this demonstrates the increasing intolerance towards any form of criticism or dissent by President Lukashenka.

The demonstrations in October 2004 – for which Nikolai Statkevich and Pavel Severinets were sentenced – were organized in protest at parliamentary elections and a referendum that were held on 17 October. The Belarusian authorities announced that in the referendum more than 77 per cent of eligible voters had supported President Lukashenka – in power since 1994 – to run for a third consecutive term. Independent observers, including those of the Organization for Security and Cooperation in Europe (OSCE), said that the elections and the referendum fell far short of democratic standards. About 50 demonstrators were herded onto buses by police with batons, and 40 subsequently stood trial. Many – including Pavel Severinets and Nikolai Statkevich – were sentenced to terms of administrative detention of up to 15 days.

On 25 March 2005 up to 2,000 people gathered on October Square in the centre of Minsk to take part in a ‘Freedom Day’ demonstration, which lasted approximately four hours. At least 30 people were arrested and a number of the detainees were reportedly severely beaten, particularly in police vans on the way to pre-trial detention centres throughout Minsk. ‘Freedom Day’ commemorates the creation on 25 March 1918 of the Belarusian People’s Republic (BPR), considered a forerunner of independent Belarus. It was a short-lived entity, as the Bolsheviks on 1 January 1919 announced the establishment of the Belarusian Soviet

Socialist Republic, which later became part of the Soviet Union. For a number of opposition parties in Belarus, 'Freedom Day' is a symbol of national pride, but the authorities do not recognize the date, reportedly claiming the BPR was created by German occupation forces. Since Belarus gained its independence in 1991, Freedom Day has been an important event and since 1996 when President Lukashenka dissolved parliament there have been mass-scale protests, which have resulted in large-scale detentions for several years running.

Recommended Action:

Please send appeals in English, Russian or your own language to the Belarusian authorities below:

- calling for Andrei Klimov, Nikolai Statkevich and Pavel Severinets to be released immediately and unconditionally, as all three men are prisoners of conscience, detained solely for the expression of their political beliefs and peaceful opposition activities
- asking the Belarusian authorities to refrain from using criminal law to stifle criticism of state authorities or to intimidate those who voice their peaceful dissent
- reminding the Belarusian government that they are a state party to the International Covenant on Civil and Political Rights, article 19 of which declares that "everyone shall have the right to freedom of expression"

Appeals to:

President

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220016 g. Minsk, Belarus
Fax: +375 172 22 38 72
E-mail: pres@president.gov.by
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(via website): <http://www.president.gov.by/eng/president/mail.shtml>
Salutation: Dear President Lukashenka

General Prosecutor
Piotr MIKLASHEVICH
Internatsionalnaia Str. 22
220050 g. Minsk, Belarus
Fax: +375 172 26 41 66
Salutation: Dear General Prosecutor

COPIES TO:

Minister of Foreign Affairs
Sergei N. MARTYNOV
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and to diplomatic representatives of Belarus accredited to your country.