

amnesty

international

PUBLIC

AI Index:

EUR 49/05/99

Date:

27 September 1999

BELARUS

VERA STREMKOVSKAYA: THE CONTINUED PERSECUTION OF A HUMAN RIGHTS LAWYER

Amnesty International has learned that the Belarusian human rights lawyer, Vera Stremkovskaya, has come under increasing pressure to cease her human rights activities. She is a leading human rights lawyer in Belarus and has defended a number of high-profile cases such as that of Vasilij Starovoitov, whom Amnesty International considers a prisoner of conscience (see AI Index: EUR 01/01/99). She is also currently the director of the Center for Human Rights, which is a non-governmental association of lawyers who are engaged in the defence of civil rights. For her work Vera Stremkovskaya has recently received a number of prestigious international human rights awards including the International Human Rights Award given by the American Bar Association and an award from the German Association of Judges (*Deutscher Richterbund*).

In the past year she has become an object of considerable state attention. Three different criminal cases have been brought against her since December 1998, of which two have been dropped. Amnesty International believes that these criminal cases have been deliberately initiated by the Belarusian authorities in order to silence Vera Stremkovskaya and punish her for her oppositional activities. All three cases have been formulated on the basis that she had defamed public officials. In her latest case Vera Stremkovskaya is being charged under Article 128 (2) of the Belarusian Criminal Code for slandering a public official during the court hearing of Vasilij Starovoitov in May 1999. The head of the team investigating the criminal case against Vasilij Starovoitov claims that Vera Stremkovskaya defamed him by asking the court what had happened to a number of her client's personal belongings which were confiscated during the search of the Starovoitov family home. Among the items missing numbered a gold necklace, a large number of military medals and 40 bottles of cognac. Vera Stremkovskaya believes that her question was legitimate, since she was representing the interests of client. If she is found guilty of defamation she could serve up to five years in prison.

Vera Stremkovskaya has contacted Amnesty International on a number of occasions and informed the organization of the developments in her case. At the beginning of September 1999 she received the official transcript of the Starovoitov court trial, during which she is alleged to have defamed the head of the team investigating Vasilij Starovoitov. She has

INTERNATIONAL SECRETARIAT, 1 EASTON STREET, LONDON WC1X 0DW, UNITED KINGDOM

expressed the fear to Amnesty International that she seriously doubts the accuracy of the transcript due to the partiality of the judge presiding over the case. A review of the transcript is expected later in September and a decision will be made whether she defamed the head of the investigating team and whether the criminal case against her should be pursued. If she is convicted and imprisoned, Amnesty International would consider Vera Stremkovskaya to be a prisoner of conscience.

Amnesty International's recommendations:

- ↯ Amnesty International is urging the Belarusian government to stop the persecution of Vera Stremkovskaya and the attempts to disbar her for her human rights activities and is urging the authorities to drop the criminal charges against her. If Vera Stremkovskaya is convicted of these charges and imprisoned, Amnesty International will consider her a prisoner of conscience;
- ↯ Amnesty International is calling on the authorities in Belarus to stop the apparent practice of censoring and silencing human rights lawyers by taking away their licences;
- ↯ Amnesty International is calling on the authorities to reinstate human rights lawyers Nadezhda Dudareva and Gary Pogonyailo, who were disbarred in 1998;
- ↯ Amnesty International is urging the government of Belarus to fulfil its commitment to Article 19 (1) of the International Covenant on Civil and Political Rights, which states: "Everyone shall have the right to hold opinions without interference".