

PUBLIC APPEAL

Belarus

End the Silencing of Human Rights Defenders

The case of *Spring-96*

Belarus is a country where the theory of human rights on the one hand, and everyday implementation on the other, diverge widely. Even though a whole spectrum of human rights and fundamental freedoms is guaranteed in the country's laws and constitution, and Belarus is a party to most of the international and regional human rights treaties, an inordinate gap between law and practice continues to exist. Human rights defenders in Belarus - as in many societies - have a central role to play, both defending the rights of Belarusian citizens and raising the overall awareness of human rights within the country.

In the course of their work human rights defenders in Belarus face a deliberate campaign on the part of the Belarusian authorities to frustrate and undermine their activities, aimed at silencing them. In 2003 and the beginning of 2004 a disturbing number of non-governmental organizations (NGOs), directly and indirectly engaged in the promotion and defence of human rights in Belarus, have been closed by a judiciary whose independence has been repeatedly called into question by the international community (see *Belarus: stifling the promotion of human rights* AI Index: EUR 49/004/2004).

None of the organizations that have been closed down was able to appeal successfully in court. Enjoyment of the rights to freedom of association and assembly has effectively been denied to human rights defenders.



On 28 October 2003 the Supreme Court ruled to close down *Spring-96*, one of Belarus' most prominent human rights organization, as a further attempt to suppress what remained of the country's human rights community. Court proceedings had started against *Spring-96* in September 2003, when the organization received a court summons by the Supreme Court in which the organization was threatened with closure on the basis of charges filed by the Ministry of Justice.

Members of the human rights organization *Spring-96* hold a sit-in in the building of the Supreme Court in protest against the decision to close the organization. Minsk, 28 October 2003. © Photo.ByMedia.net

As in the case of several other human rights NGOs, the court ruled that *Spring-96* had violated several provisions of a highly controversial law which tightly regulates the activities of civil society. In one instance, the court reportedly ruled that in rendering legal assistance to individuals who were not members of the human rights organization, *Spring-96* had violated the law.

Spring-96 informed Amnesty International in September 2003 that it was of the opinion that its persecution by the authorities was in connection with its public activities (monitoring of human rights, support to victims of political repression, monitoring during the elections). The organization considers the closure of human rights and other NGOs a planned campaign by the authorities, aimed at removal of active public organizations from civil society.

Amnesty International is concerned that the closures of the NGOs, referred to above, are in violation of international human rights law and standards. The rights of freedom of association and peaceful assembly are enshrined in Articles 21 and 22 of the International Covenant on Civil and Political Rights, to which Belarus is a state party. These rights are also enshrined in the United Nations (UN) Declaration on the Right and Responsibility of

Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, otherwise known as the UN Declaration on Human Rights Defenders.

TAKE ACTION NOW!

Urgent action is needed. Please write appeals calling on the Belarusian authorities to:

- stop the deliberate pattern of obstruction, harassment and intimidation of human rights defenders, by closures, and threats thereof, of several NGOs, including *Legal Assistance to the Population, Spring-96* and the *Belarusian Helsinki Committee*, directly and indirectly engaged in the promotion and defence of human rights in Belarus;
- immediately review laws, regulations and administrative practices relating to the registration and activities of non-governmental organizations in order that their establishment and free operation may be facilitated in accordance with Articles 21 and 22 of the International Covenant on Civil and Political Rights;
- adhere to the principles of the UN Declaration on Human Rights Defenders (*Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms* adopted by the United Nations General Assembly, 9 December 1998).

Amnesty International is a worldwide movement of people who campaign to prevent and end grave abuses of the rights to physical and mental integrity, freedom of conscience and expression, and freedom from discrimination, within the context of its work to promote respect for all human rights. For more information see: <http://www.amnesty.org>

Please write appeals to:

1) President of the Republic of Belarus

Alyaksandr G. LUKASHENKA

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or send a letter directly from his web-site:

www.president.gov.by/eng/president/mail.shtml

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2) Minister of Justice

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3) Chairman of the Belarusian House of Representatives

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****Showing support and international solidarity to Belarusian human rights defenders is one of the objectives of this action; please send a copy to spring@belsonet.net or telephone/fax: +375 17 231 08 44***