

# URGENT ACTION

## HUMAN RIGHTS DEFENDER SENTENCED

**A court in Minsk, the Belarusian capital, has handed down a sentence of four and a half years to human rights defender Ales Bialiatski. He is a prisoner of conscience, and should be released immediately and unconditionally.**

**Ales Bialiatski** was sentenced on charges of “concealment of income on a large scale”. The charges relate to the use of personal bank accounts in Lithuania and Poland to support the work of Human Rights Centre Viasna (also known as Viasna) in Belarus, of which he is Chair. He is likely to appeal against the sentence. There were a number of procedural violations which point to the political nature of the trial. The questioning of witnesses frequently did not relate to the charges, but the human rights activities of Ales Bialiatski and the witnesses themselves. The evidence presented by the prosecution included copies of bank statements that were not authenticated, and some documents were presented as coming from anonymous informants, which is in violation of Belarusian trial procedures. Furthermore, state prosecutors in Belarus requested information from Polish and Lithuanian banks before the criminal case against Ales Bialiatski had been opened, in violation of the agreement with those countries regarding the exchange of information in criminal cases.

Ales Bialiatski was permitted to make a speech following his sentencing. In his speech, he said that his trial and the harassment of human rights defenders in Belarus contradicted the country's Constitution and the obligations that Belarus had taken upon itself by ratifying international human rights conventions. He reminded the authorities that, under the terms of the UN Declaration on Human Rights Defenders, to which Belarus is a state party, it must support the work of human rights defenders, and challenged the authorities: “Why did you sign the Declaration? If only you hadn't signed! Leave the UN, leave the OSCE [the Organization for Security and Co-operation in Europe]! Then everything will be clear.”

Viasna was derecognized by the Belarusian authorities in 2003 and as such was barred from opening a bank account in its name in Belarus. Since derecognition, the Belarusian authorities have repeatedly rejected the organization's applications for registration. In 2005 it became a criminal offence in Belarus to act in the name of an unregistered organization, punishable by six months to one year in prison. Amnesty International recognizes the right of the Belarusian authorities to punish legitimate crimes, but the organization maintains that the charges against Ales Bialiatski are politically motivated and intended to obstruct his legitimate work as a human rights defender. Ales Bialiatski has been in detention in Minsk since 4 August.

### **Please write immediately in Belarusian, Russian or your own language:**

- Calling on the authorities to release Ales Bialiatski immediately and unconditionally;
- Urging them to stop the harassment and intimidation of human rights defenders, and reminding them that they have a responsibility to protect human rights defenders, as set out in the UN Declaration on Human Rights Defenders, which recognises that human rights activity is necessary and legitimate.

### **PLEASE SEND APPEALS BEFORE 6 JANUARY 2012 TO:**

#### President

Alyaksandr Lukashenka  
ul. Karla Marxa 38  
220016 Minsk, BELARUS  
Fax: +375 17 226 06 10/ +375 17 222 38 72  
Email: [contact@president.gov.by](mailto:contact@president.gov.by)

**Salutation: Dear President**

#### Prosecutor General

Alexander Koniuk  
Ul. Internatsionalnaya 22  
220050 Minsk  
BELARUS  
Fax: +375 17 226 42 52 (please say "fax")

**Salutation: Dear General Prosecutor**

**Also send copies to diplomatic representatives accredited to your country.**

Please check with your section office if sending appeals after the above date. This is the second update of UA 240/11. Further information: [www.amnesty.org/en/library/info/EUR49/018/2011/en](http://www.amnesty.org/en/library/info/EUR49/018/2011/en)

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### ADDITIONAL INFORMATION

Ales Bialiatski, Chairperson of Viasna, was detained in the afternoon of 4 August near Victory Square in central Minsk. Earlier that afternoon, the offices of Viasna had been surrounded by men in plain clothes; when staff at Viasna left the building they said they overheard one of the men on the phone saying that Ales Bialiatski was not there.

The men who detained Ales Bialiatski said they were police representatives of the Department of Financial Investigations. They are believed to have taken Ales Bialatski to his apartment, which they searched, confiscating a computer. They then took him to the Viasna office, which they searched for nearly an hour, taking documents and office equipment. They took his wife and child, who had been in the apartment, to their summer home outside of Minsk, which they searched.

Amnesty International believes that Ales Bialiatski's detention is part of a longstanding pattern of harassment of civil society activists and human rights defenders by the Belarusian authorities. Following the Presidential elections there in December 2010, there has been an unprecedented deterioration in the human rights situation in Belarus. Key opposition figures have been detained, ill-treated and convicted in unfair trials. Critical NGOs, civil society activists and journalists face continuing harassment.

Viasna has been providing assistance to individuals and families affected by the crackdown.

Viasna has been active in Belarus since 1998 and registered as a non-governmental organization in 1999. In 2003 its official status was withdrawn following its work on election monitoring and the authorities have repeatedly obstructed the organization's official registration. Following the presidential elections in December 2010, the organization and its staff have come under increasing pressure from the authorities, in a context of widespread harassment of civil society throughout the country.

Name: Ales Bialiatski

Gender m/f: m

Further information on UA: 240/11 Index: EUR 49/024/2011 Issue Date: 25 November 2011