

PUBLIC APPEAL

Belarus

End the Silencing of Human Rights Defenders

The case of *Legal Assistance to the Population*

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. The closure of one of Belarus' most prominent human rights organizations, *Legal Assistance to the Population (LAP)*, on 13 October 2003, underscores Amnesty International's concerns in this respect. The Supreme Court upheld a Minsk City



Raisa Mikhailovska (left) and Oleg Volchek (right) of *LAP* in their Minsk office, showing post cards sent as part of AI's solidarity actions. Minsk, January 2004 © AI

Court decision to close *LAP* after the organization had received two official warnings from the Ministry of Justice in the course of the year. These included allegations that *LAP* rendered paid legal services without the necessary licence. *LAP* refuted this claim, stating that it offers free legal advice on a wide number of issues to people who are unable to afford the services of lawyers. *LAP* has offered free legal assistance to people who have been arrested and sometimes ill-treated by police officers during the course of demonstrations organized by the opposition.

Staff members of *LAP* have been active on a range of national human rights issues, including the determination of the fate of Belarus' "disappeared" opposition leaders, in particular Yury Zakharenko.

On 7 May 1999, **Yury Zakharenko**, a leading member of Belarus' opposition and a former Minister of the Interior, "disappeared" on the eve of the country's unofficial presidential elections, leaving behind his wife, Olga Zakharenko, and their two children. Five years later no progress has yet been made in determining his fate or whereabouts.

After becoming chair of the non-governmental commission set up by opposition activists to look into Yury Zakharenko's possible "disappearance" and the legal representative of his family, Oleg Volchek, the chair person of *LAP* became a focus of state attention. In July 1999 Oleg Volchek was charged under Article 201 (2) of the Belarusian Criminal Code with "malicious hooliganism" and, if convicted, faced several years in prison. The charges related to his participation in a peaceful protest organized by the opposition on 21 July 1999, during which he was arrested and ill-treated by police officers. Amnesty International expressed concern that he had been deliberately targeted by the Belarusian authorities to punish him for working on Yury Zakharenko's behalf and his role in *LAP*.

Amnesty International has repeatedly expressed its concerns about repressive measures against human rights defenders, including *LAP*, in particular regarding obstacles and constraints on their rights to freedom of association; constraints and violations of their rights to receive and impart information about human rights; and harassment. Violations of the rights to be free from torture, ill-treatment, arbitrary arrest and arbitrary detention create a climate which impedes the important work of human rights defenders in Belarus, and sometimes places them at personal risk.

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);
- to ensure that the fate and whereabouts of Yury Zakharenko are established and those responsible for his "disappearance" are brought to justice.

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

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or +375 (172) 22 38 72

E-mail: pres@president.gov.by

or send a letter directly from his web-site:

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

2) Minister of Justice

Victor G. GOLOVANOV

Kollektornaya Str. 10
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Tel: + 375 (172) 20 6779

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3) Chairman of the Belarusian House of Representatives

Vadim A. Popov

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Fax: +375 (172) 27 37 84

****Showing support and international solidarity to Belarusian human rights defenders is one of the objectives of this action; please send a copy to:
Legal Assistance to the Population, Beletsky Str. 4-122, g. Minsk 220117, Belarus.***