

## URGENT APPEAL - THE OBSERVATORY

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### New information

**BLR 002 / 0111 / OBS 008.1**

Obstacles to freedom of association /  
Harassment

**Belarus**

December 23, 2011

The Observatory for the Protection of Human Rights Defenders, a joint programme of the World Organisation Against Torture (OMCT) and the International Federation for Human Rights (FIDH), has received new information and requests your urgent intervention in the following situation in **Belarus**.

### New information:

The Observatory has been informed by reliable sources that the Belarusian Ministry for Taxes and Duties has asked to initiate the process of closing down the Belarus Helsinki Committee (BHC), one of the few formally registered human rights organisations in Belarus.

According to the information received, on December 21, 2011, Mr. Aleh Hulak, BHC Chairman, was informed by the Ministry of Justice that it had been requested by the Ministry for Tax and Duties to dissolve the organisation.

According to Article 29 of the Law on Non-Governmental Organisations (NGOs), the decision to dissolve an organisation requires two warnings issued by the Ministry of Justice for the same offence during the year.

On January 12, 2011, the BHC received a written warning from the Ministry of Justice for violating the Law on Civic Organisations and Mass Media and for spreading dubious information discrediting the law enforcement and justice agencies of Belarus. At issue was a letter that the BHC sent on January 11, 2011 to the United Nations Special Rapporteur on the Independence of Judges and Lawyers detailing the intimidation faced by lawyers representing opposition leaders arrested on December 19, 2010.

On June 6, 2011, the BHC received a second warning for violation of tax law. It is requested to pay more than 240 million Belarusian rubles (about 21,842 euros) of taxes and fines for receiving a grant from the European Commission in 2002-2003.

The BHC appealed both warnings to the Supreme Court, but none of them was answered.

The Observatory expresses its deep concern about the process that was initiated to close down the Belarus Helsinki Committee, which it considers as merely aiming at sanctioning its legitimate human rights activities. Accordingly, the Observatory urges the Belarusian authorities to refrain from harassing the Belarus Helsinki Committee and, more generally, human rights defenders in the country, and to guarantee their rights to freedoms of association and expression.

### Actions requested:

The Observatory urges the authorities of Belarus to:

- i. Put an end to all forms of harassment against members of BHC as well as against all human rights defenders in Belarus and ensure that they are, in all circumstances, able to carry out their work freely without any hindrances;

ii. Comply with all the provisions of the United Nations Declaration on Human Rights Defenders, , adopted on December 9, 1998 by the United Nations General Assembly, in particular with:

- its Article 1, which provides that “everyone has the right, individually and in association with others, to promote and to strive for the protection and realization of human rights and fundamental freedoms at the national and international levels”;
- as well as its Article 12.2, which states that “the State shall take all necessary measures to ensure the protection by the competent authorities of everyone, individually and in association with others, against any violence, threats, retaliation, de facto or de jure adverse discrimination, pressure or any other arbitrary action as a consequence of his or her legitimate exercise of the rights referred to in the present Declaration”.

iii. Comply with paragraph 8 of the OSCE Parliamentary Assembly Resolution on Strengthening OSCE Engagement with Human Rights Defenders and National Human Rights Institutions, which states that OSCE Participating States recognise “the need for particular attention, support and protection for human rights defenders by the OSCE, its Institutions and field operations, as well as by participating States”;

iv. More generally, ensure in all circumstances the respect for human rights and fundamental freedoms in accordance with in accordance with the Universal Declaration of Human Rights and with international and regional human rights instruments ratified by Belarus.

#### Addresses:

- President Alexander Lukashenko, ul .Karla Marksa, 38, 220016 Minsk, Belarus, Fax :
- + 375 172 26 06 10 or + 375 172 22 38 72, Email: [contact@president.gov.by](mailto:contact@president.gov.by)
- Head of the Administration of the President of Belarus, Mr. Vladimir Vladimirovich Makei, Ul. K. Marksa 34, 220016 Minsk, Fax: + 375 17 226-06-10
- General Prosecutor, Grigory Alekseevich Vasilevich, Internatsionalnaya str. 22, 220050 Minsk, Belarus, Fax: + 375 17 226 42 52
- Minister of Justice of Belarus, Mr. Viktor Grigorevich Golovanov, Ul. Kollektornaya, 10, 220004 Minsk, Belarus, Email [kanc@minjust.by](mailto:kanc@minjust.by)
- President of the Supreme Court of Belarus, Mr. Valentin Olegovich Sukalo, Ul. Lenina, 28, 220030 Minsk, Belarus, Email: [scjustrb@pmrb.gov.by](mailto:scjustrb@pmrb.gov.by)
- Permanent Mission of Belarus to the United Nations in Geneva, 15 avenue de la paix, 1211 Geneva 20, Switzerland, Fax: +41 22 748 24 51. Email: [mission.belarus@ties.itu.int](mailto:mission.belarus@ties.itu.int)
- Embassy of Belarus in Brussels, 192 avenue Molière, 1050 Ixelles, Belgium, Fax : + 32 2.340.02.87, Email : [embbel@skynet.be](mailto:embbel@skynet.be)

Please also write to the diplomatic mission or embassy of Belarus in your respective country.

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Geneva-Paris, December 23, 2011

Kindly inform us of any action undertaken quoting the code of this appeal in your reply.

To contact the Observatory, call the emergency line:

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