

URGENT APPEAL – THE OBSERVATORY

BLR 006 / 0511 / OBS 074

Expulsions / Arrests /
Release / Obstacles to freedom of assembly

Belarus

May 13, 2011

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

Description of the situation:

The Observatory has been informed by reliable sources of the arbitrary arrest and expulsion from Belarus of Ms. **Victoria Gromova** and Mr. **Alexander Mnakatsanyan**, two members of the International Observation Mission in Minsk, as well as of the arbitrary arrests of other five human rights defenders, including members of the International Observation Mission Committee on International Control Over the Human Rights Situation in Belarus¹.

According to the information received, on May 4, 2011, the police and officials of the Ministry of Internal Affairs came to the premises of the Human Rights Centre “Viasna” in the framework of a so-called “special operation” in search of an explosive device. This was the fourth visit to “Viasna” premises by Belarusian security forces since the events of December 19, 2010².

This “special operation” was followed by the arrest of two members of the International Observation Mission Committee on International Control Over the Human Rights Situation in Belarus, Ms. Victoria Gromova – a Russian citizen – and Mr. **Lubov Zakharova**, who were taken to a nearby police station. A member of “Viasna” was also briefly detained there³. In addition, the police prevented all people present in the premises to leave, and prevented those who were outside to enter. “Viasna” had scheduled a press conference in its premises on the same evening, for the presentation of the report of the Committee on International Control over the Human Rights Situation in Belarus.

Following these arrests at “Viasna” premises, other human rights defenders spontaneously decided to organise the presentation of the report in a street nearby to the journalists still present. Four human rights defenders were taken to the police department of Minsk immediately after the presentation: Mr. **Yuri Dzhibladze**, President of the Moscow-based Centre for Democracy and Human Rights and member of the Council on Civil Society and Human Rights, Mr. **Vladimir Chemerys**, an independent expert of the International Observation Mission, as well as Ms. **Irina Paikacheva**, a Russian representative of the

¹ On December 27, 2010 the Committee on International Control over the Human Rights Situation in Belarus was established by a coalition of non-governmental organisations of the OSCE region. It was triggered by the need to address flagrant and systematic human rights violations after Presidential elections in Belarus. It demands, inter alia, freedom from torture and cruel, inhuman or degrading treatment, the right to fair trial, freedom of assembly and association, and freedom of speech. It is engaged in monitoring and controlling over the observation of fundamental human rights, and the conditions in which human rights defenders and human rights organisations operate in the country. See <http://hrwatch-by.org>.

² Following the announcement of the results of the presidential election on December 19, 2010, about 700 people who were peacefully demonstrating in the centre of Minsk to denounce electoral fraud were arrested, beaten and sent to prison. Among them were seven opposition candidates, young pro-democracy activists, independent journalists and human rights defenders. Some of the activists received disproportionate prison sentences, while others had their offices repeatedly raided and ravaged by security forces.

³ Name not disclosed for security reasons.

International Observation Mission, and Mr. Alexander Mnakatsanyan – also a Russian citizen.

In all, seven defenders were detained at the nearby police station, before being released about three hours after.

After being released from the police department along with the five other defenders, Ms. Victoria Gromova and Mr. Alexander Mnakatsanyan were handed out a written order to leave Belarus within 24 hours, and “banned” from re-entering the country - without any explanation - until March 31, 2012 and May 31, 2013 respectively.

The Observatory condemns the Belarusian Government's attempt to thwart the presentation of an independent report prepared by the International Observation Mission Committee, which aim is to provide an impartial assessment of the repression of the protest and of the arbitrary arrests that took place on Independence Square on December 19, 2010 in Minsk.

The Observatory further deplores these arbitrary arrests, and calls on Belarus to conform to Article 13 of the International Covenant on Civil and Political Rights (ICCPR), to which Belarus is a party since November 12, 1973, and establishes that “An alien lawfully in the territory of a State Party to the Covenant may be expelled there from only in pursuance of a decision reached in accordance with law [...]”, as well as to the United Nations Declaration on Human Rights Defenders adopted by the UN General Assembly on December 9, 1998.

Actions requested:

The Observatory urges the authorities of Belarus to:

- i. Guarantee in all circumstances the physical and psychological integrity of all human rights defenders in Belarus;
- ii. Repeal the decision to expel Ms. Victoria Gromova and Mr. Alexander Mnakatsanyan, as it seems to merely aim at sanctioning their human rights activities;
- iii. Put an end to all forms of harassment against the above-mentioned human rights defenders, and more generally against all human rights defenders in the country, and ensure that they are able to carry out their work freely without any hindrances in all circumstances;
- iv. Comply with all the provisions of the ICCPR and in particular its above-mentioned Article 13;
- v. Comply with all the provisions of the United Nations Declaration on Human Rights Defenders, 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”,
 - 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”;
- vi. Comply with the provisions of the Document of the Copenhagen Meeting of the 2nd Conference on the Human Dimension of the Cooperation and Security Conference in Europe (CSCE) (1990), and uphold in all circumstances the principles and provisions

enshrined in the international and regional human rights instruments ratified by Belarus and which, in particular, guarantee freedoms of association, demonstration, expression and opinion, in particular the European Convention on Human Rights and the International Covenant on Civil and Political Rights;

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

Addresses:

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- 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
- President of the Supreme Court of Belarus, Mr. Valentin Olegovich Sukalo, Ul. Lenina, 28, 220030 Minsk, Belarus, Email: scjustrb@pmrb.gov.by
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- Embassy of Belarus in Brussels, 192 avenue Molière, 100 Ixelles, Belgium, Fax : + 32 2.340.02.87, Email : embbel@skynet.be

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

Paris-Geneva, May 13, 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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