

URGENT APPEAL - THE OBSERVATORY

New information
BLR 008 / 1011 / OBS 118.1
Judicial harassment
Belarus
November 25, 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), 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 of a new hearing planned for December 2, 2011 against Mr. **Valiantsin Stefanovich**, Vice-Chairman of the Human Rights Centre "Viasna".

This case concerns the appeal lodged by Mr. Valiantsin Stefanovich against a ruling issued on October 19, 2011 requesting him to pay 4,727,330 Belarusian rubles (about 600 euros) in an administrative case opposing him to the tax inspection of Minsk Partyzanski District (see background information). Mr. Stefanovich was informed on November 23 of this next hearing date.

Another hearing already planned for December 2 concerns court proceedings aimed at collecting allegedly unpaid taxes, but also penalties, from Valiantsin Stefanovich.

Both hearings will be held at the Partyzanski district court of Minsk.

The Observatory strongly denounces these acts of judicial harassment against Mr. Stefanovich, which seem to merely aim at sanctioning his human rights activities, and calls for the respect of fair trial standards at both hearings.

Background information:

On October 19, 2011, Mr. Stefanovich was requested to pay 4,727,330 Belarusian rubles (about 600 euros) in the administrative case opposing him to the tax inspection of Minsk Partyzanski District. He was accused of having "understated the amount of his taxable income". Since the start of the proceedings, penalties have increased from 6 to 9 million rubles. The tax office wants him to pay 41 million rubles.

The Observatory recalls that the authorities have been hunting Mr. Valiantsin Stefanovich's resources over the past years. Since 2008, he has been asked on several occasions to provide his tax returns, including a tax form on the total income he received over 10 years (1998-2008), although he had already presented all those documents to the district tax inspection.

Actions requested :

Please write to the Belarusian authorities, urging them to:

- i. Guarantee in all circumstances the physical and psychological integrity of Mr. Valiantsin Stefanovich, as well as of all human rights defenders in Belarus;

ii. Put an end to any kind of harassment - including at the judicial level - against Mr. Valiantsin Stefanovich as well as against all other human rights defenders, and ensure his rights to a fair trial at both hearings;

iii. Conform with the provisions of the UN Declaration on Human Rights Defenders, adopted by the General Assembly of the United Nations on December 9, 1998, especially:

- its Article 1, which states 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 6 (b) and (c), which states that “Everyone has the right, individually and in association with others [...] as provided for in human rights and other applicable international instruments, freely to publish, impart or disseminate to others views, information and knowledge on all human rights and fundamental freedoms and [...] to study, discuss, form and hold opinions on the observance, both in law and in practice, of all human rights and fundamental freedoms and, through these and other appropriate means, to draw public attention to those matters”.

- and its Article 12.2, which provides 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” ;

Ensure in all circumstances respect for human rights and fundamental freedoms in accordance with international human rights standards and international instruments ratified by the Belarusian Republic.

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
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
- 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
- Embassy of Belarus in Brussels, 192 avenue Molière, 1050 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, November 25, 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:

- E-mail: Appeals@fidh-omct.org
- Tel and fax FIDH + 33 (0) 1 43 55 25 18 / +33 1 43 55 18 80
- Tel and fax OMCT + 41 (0) 22 809 49 39 / + 41 22 809 49 29