

## URGENT APPEAL - THE OBSERVATORY

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**BLR 008 / 1011 / OBS 118**  
Sentencing / Judicial harassment  
**Belarus**  
October 21, 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 urgent intervention in the following situation in **Belarus**.

### Description of the situation :

The Observatory has been informed by reliable sources about the sentencing of Mr. **Valiantsin Stefanovich**, Vice-Chairman of the Human Rights Centre "Viasna".

According to the information received, 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".

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.

The Observatory strongly denounces the sentencing of Mr. Stefanovich, which seems to merely aim at sanctioning his human rights activities.

Moreover, the Observatory recalls that Mr. **Ales Bialatski**, President of Viasna and FIDH Vice-President, has been arrested and arbitrary detained since August 4, 2011, in a detention centre of the Interior Ministry located in Valadarski street. The latter was charged under Article 243, part 2, of the Criminal Code of the Republic of Belarus ("concealment of profits on an especially large scale"), which provides for up to seven years' imprisonment, with confiscation of property. The criminal case is to be considered by the Pershamaiski District Court of Minsk (Judge Syarhei Bandarenka), but the trial will be held in the premises of the Maskouski District Court. The first hearing of the trial is scheduled on November 2, 2011 at 10:00 am.

This case was opened on the basis of information related to Mr. Bialatski's bank account at a bank in Vilnius, Lithuania, which was provided by the Lithuanian Ministry of Justice to the Belarusian authorities. The Belarusian tax authorities interpreted the amount on the account of Mr. Bialatski's as his personal income and accused him of concealing it. In reality, this money, which was transferred by international organisations, was by no means used as personal funds but to finance the activities of the HRC "Viasna", such as assistance provided to victims of the political repression in the post-electoral context.

### 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, Mr. Ales Bialatski 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, Mr. Ales Bialatski as well as against all other human rights defenders;

iii. Release Mr. Ales Bialatski immediately and unconditionally since his detention is arbitrary as it seems to merely sanction his human rights activities;

iv. 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](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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Paris-Geneva, October 21, 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](mailto:Appeals@fidh-omct.org)
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