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The Human Rights House Network has been closely following the situation with the criminal persecution of Leonid Svetsik, a human rights defender from Vitebsk. We were glad to learn about the latest developments: the Norwegian government has raised this issue with their Belarusian counterparts; the Belarusian Prosecutor's Office did not uphold the charges under one of the articles of the Belarusian Criminal Code brought by KGB. We consider this case a persecution of Mr Svetsik for his human rights activities and strongly believe that it has no moral or legal ground.

We hope that a **public hearing** of this case **that will comply with all standards and principles of fair trial**, such as equality of parties, presumption of innocence, and adversarial principle, will prevent the interested parties from turning the trial into an instrument of reprisal.

The Human Rights House Network regrets that the ongoing investigation of Leonid Svetsik restricts his right to act as a human rights defender in assisting victims of human rights violations. In this respect, Belarusian authorities must conform with the paragraph 8 of the OSCE Parliamentary Assembly *Resolution on Strengthening OSCE Engagement with Human Rights Defenders and National Rights Institutions*, which states that the OSCE Participating states recognise "the need for particular attention, support and protection for human rights defenders."

We urge the Belarusian authorities to respect the 1998 General Assembly Resolution 53/144 entitled *Declaration on the Rights and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms*. According to Article 12.2 of the Declaration, "[t]he State shall take all necessary measures to ensure the protection by the competent authorities of everyone, individually and in association with others, [...] 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."

Background information

On 31 March the KGB office in Vitebsk region charged Leonid Svetsik with violating Article 131 (fomentation of national and religious enmity), and Article 367 of the Criminal Code (insulting the honour of the President).



In May 2008, KGB carried out a nine-hour search of Svetsik's apartment in Vitebsk. During the search, the KGB confiscated Svetsik's computer, printed human rights related material and a certificate from the Council of Europe. After the search, Svetsik was brought to the KGB office of Vitebsk region where he was interrogated for more than two hours. Later, Svetsik and Uladzimer Bazan, the former editor-in-chief of the *Vitebski Kurier* newsletter, were warned and banned by the regional KGB office from commenting on details of the ongoing investigation on the case concerning the threats by the neo-Nazi organization Russian National Unity (RNE) to certain citizens, all for 'security reasons.' Svetsik had assisted the threatened activists with the application to the appropriate state organs for protection. On 18 September 2008, the case was pending an expert analysis. In the meantime, travel restrictions were imposed on Leonid Svetsik.

Svetsik is internationally recognized as a leading human rights defender in the Vitebsk region. He has participated in the preparation of five complaints concerning Belarusian authorities' violations of citizens' rights. All five were accepted for consideration by the UN Committee on Human Rights in Geneva.

The Human Rights House Network will continue informing the Directorate General of Human Rights and Legal Affairs of the Council of Europe and the Office of the Special Rapporteur on Human Rights Defenders about the ongoing investigation and interrogation of Svetsik.

Sincerely,

The Norwegian Human Rights House (on behalf of the following NGOs):

- The Human Rights House Foundation
- The Norwegian Helsinki Committee
- The Norwegian PEN
- The Norwegian Tibet Committee

Belarusian Human Rights House in exile (Lithuania)

The Rafto House in Bergen (Norway)

Russian Research Centre for Human Rights (on behalf of the following NGOs):

- Human Rights Network Group
- Independent Psychiatric Association of Russia
- Moscow Centre for Prison Reform
- Moscow Helsinki Group
- Mother's Right Foundation
- Non-violence International
- Right of the Child
- Right to Live and have Civil Dignity
- Social Partnership Foundation
- Union of the Committees of Soldiers' Mothers of Russia



Human Rights House Sarajevo (on behalf of the following NGOs):

- Association of Female Citizens "Renaissance"
- Foundation CURE
- Helsinki Committee for Human Rights in Bosnia and Herzegovina
- Regional Co-ordinator for Youth Groups
- Serb Civic Council - Movement for Equality - The Council of the Sarajevo Canton
- Woman and Society Centre

Human Rights House Skopje (Macedonia)

- Association for Democratic Initiatives – “ADI”
- First Children Embassy in the World – “Megjashi”
- Helsinki Committee for Human Rights in the Republic of Macedonia
- Macedonian Women’s Rights Centre – “Shelter Centre”
- Polio Plus – Movement Against Disability

Human Rights House in Azerbaijan

The Helsinki Foundation for Human Rights (Poland)

Index on Censorship (United Kingdom)

Copies have been sent to:

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- Prosecutor’s Office of Vitebsk, Vitebsk region, 210601, ul Zestkova, 14a, Vitebsk, Tel/Fax: +375 212 47-73-27, +375 212 47-64-44
- The General Prosecutor’s Office of the Republic of Belarus, Mr Vasilevich G.A., 220050 Internacionalnaja 22, Minsk, Tel/Fax +375 17 2264360, +375 17 2264358
- The Ministry of Internal Affairs, Mr Naumov V.V., 220050 Ul. Gorodskoj Val, 2, Fax: +375-00-0172-22-73-06
- Directorate General of Human Rights and Legal Affairs of the Council of Europe, Strasbourg
- UN Special Rapporteur on the Situation of Human Rights Defenders
- UN Special Rapporteur on the Promotion and Protection of the Right to Freedom of Opinion and Expression
- The OSCE/ODIHR, Warsaw
- The Norwegian Ministry of Foreign Affairs
- The Standing Committee for Foreign Affairs of the Norwegian Parliament
- The Norwegian Embassy in Kiev