



Parliament, the House of Representatives
Republic of Belarus
Minsk 220010
vul. 11 Savieckaja, 11, House of Government

Re: Abolition of Article 193.1 of the Criminal Code of the Republic of Belarus

2 July 2009

More than 30 organisations of the Human Rights House Network express our deep regret that Article 193.1 of the Criminal Code of the Republic of Belarus establishes criminal responsibility for activities of unregistered civil organizations.

We, the undersigned members of the Human Rights House Network, believe that Article 193.1 violates the right to association and prevents the development of the civil society in Belarus.

In recent years, many Belarusian NGOs lost their official registrations, and new organisations have difficulties getting registered. The unregistered NGOs cannot re-register for ungrounded reasons, even against the opinion of international organisations, in which Belarus holds membership. Thus, the Human Rights Centre Viasna cannot regain its registration despite the view expressed on 24 June 2007 by the UN Human Rights Committee, which found the closure of this organisation a violation of the Viasna members' right to freedom of association and called upon the Belarusian authorities to re-register the organisation. This is only one of many examples in Belarus.

Official registration as such may not seem a necessity; however, combined with the legislation that provides criminal liability for activities on behalf of unregistered organisations, it becomes a tool for politically motivated pressure on and harassment of civic activists in the country.

We believe that Article 193.1 contradicts certain provisions of the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights and other international documents, to which Belarus is a party. Apart from that, Article 193.1 is not in line with the standards regarding activities of non-governmental organizations, approved by the Council of Europe. This is one of the obstacles for the full accession of Belarus to the Council of Europe and for its return to the European scene.

As a result, we call upon the Belarusian authorities to:

- abolish Article 193-1 of the Criminal Code, and
- exclude the ban on the activities of unregistered public associations from all Belarusian legislation acts.

Sincerely,

Belarusian Human Rights House in exile (Lithuania)

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

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- The Human Rights House Foundation
- The Norwegian Helsinki Committee

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 in Azerbaijan (on behalf of the following NGOs):

- Institute for Reporters' Freedom and Safety
- Association for Protection of Women's Rights
- Women's Association for Rational Development

Human Rights Center, Georgia

The Helsinki Foundation for Human Rights (Poland)

Index on Censorship (United Kingdom)

Human Rights House Sarajevo, Bosnia and Herzegovina (on behalf of the following NGOs):

- Association of Female Citizens "Renaissance"
- Foundation CURE
- Helsinki Committee for Human Rights in Bosnia and Herzegovina
- Regional Coordinator 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 Zagreb, Croatia (on behalf of the following NGOs):

- B.a.b.e. Women's Human Rights Group
- Center for Peace Studies, Zagreb



Copies have been sent to:

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- 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
- The Lithuanian Ministry of Foreign Affairs
- The Swiss Ministry of Foreign Affairs
- Office of the Embassy of Switzerland in Kiev
- Mission of the United States of America to the UN in Geneva
- Delegation of the European Commission to Belarus