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OPEN LETTER ON HARASSMENT AGAINST YOUTH ACTIVIST DMITRY ZHELEZNICHENKO

Minsk-Paris, 15 February 2008 – The International Federation for Human Rights (FIDH) and the Human Rights Center “Viasna” express their deep concern about the Belarusian authorities’ repeated harassment against the youth activist Dmitry Zheleznichenko. FIDH and Viasna consider that these acts of repression directed against Mr. Zheleznichenko are linked to his civil activities. The means used reveal clearly the instrumentalisation in the political aims of such key institutions as the army, the education system and the judiciary.

Dmitry Zheleznichenko is successful third year student at the Gomel State University. During the summer of 2007, Zheleznichenko organized the Belarusian alternative bards concert. Soon after, he was charged with “conduct of the illegal commercial activity” and required to pay 310 000 Belarusian rubles (nearly 100 euro). He lodged an appeal to the Supreme Economic Court which fixed the case hearing on September 25, 2007. However, the case still pending, on September 5, Mr. Zheleznichenko was expelled from the University. In response, he informed the administration and the University that he will appeal in court.

On September 17, the police stopped Zheleznichenko on the street, under the pretext that he was a “person who looks like the one wanted for the rape”. On the same day, the accusation was changed to “resistance to forces of order and indecent vocabulary”. On September 18, Judge Marina Domnenko condemned Dimity Zheleznichenko to 8 days in prison. M. Zheleznichenko declared the hunger strike as a form of protest against the provocation and the arbitrary arrest.

Further on, on October 1, Mr. Zheleznichenko filed a complaint against the University’s decision to expel him. On January 16, 2008 the Central Court of Gomel Judge Victor Kazatchok voided the decision and required the University to reintegrate Zheleznichenko. Consequently, on January 17, Zheleznichenko returned to the University.

However, a week later, on January 22, he was expelled again. The decision was transmitted directly to the Military conscription center, which immediately begun to register Zheleznichenko in the military railways service on January 23.

Zheleznichenko began another hunger strike and sent an official statement to the Conscription Center and to the Ministry of Defense, protesting against the expulsion and the

arbitrary conscription. On February 1, 2008, the Court of the Soviet District of Gomel announced the suspension of the conscription. Despite the obligation to immediately respect the Court decision without conditions, Zheleznichenko is currently arbitrarily and forcefully detained in the Zhlobin military base. The young activist refused to give his obligatory loyalty oath. Now, he is held in a total isolation from the civil control and has no access to his relatives or his friends.

The case of Dmitry Zheleznichenko occurs in a context of growing repression against the civil society. The International Federation for Human rights (FIDH) and the Human Rights Center "Viasna" strongly condemn the persecution of civil activists by the Belarusian authorities which involves in the repression machine the military and education services, which should be independent from the political sphere.

Our organizations demand the Gomel Conscription Center as well as the Zhlobin military base, which illegally detains Zheleznichenko, to conform to the Court of the Gomel Soviet district's decision, and to therefore release Zheleznichenko from the military base and to immediately stop the conscription procedure. We demand that the University of Gomel restore Zheleznichenko's student status and do not further interrupt in any way the course of the high education of this exemplary student.

We further demand that the authorities of the Gomel province and the Gomel city stop their unprecedented persecution of Dmitry Zheleznichenko. Their actions seem to merely aim at sanctioning his civic activities, and to guarantee in all circumstances, his physical and psychological integrity.

More generally, FIDH and Viasna demand to put an end to all acts of harassment against all civil and human rights activists in Belarus, and to ensure that in all circumstances that they will be able pursue their education and work without unjustified hindrances.

More generally, FIDH and Human Rights "Viasna" urge you to ensure, in all circumstances, the police's, university's and military authorities' respect of human rights and fundamental freedoms, including the freedom of expression and the independence of judiciary, in accordance with the Universal Declaration of Human Rights, with international and regional human rights instruments, ratified by the Republic of Belarus and with the Constitution of Belarus.