

BLR 160209

Allegations of ill-treatment/ Forced military recruitment/ Fear for safety

The International Secretariat of the World Organisation Against Torture (OMCT) requests your **URGENT** intervention in the following situation in **Belarus**.

Brief Description of the Situation

The International Secretariat of OMCT has been informed by the Youth Resource Centre on Human Rights (CODAP), a member organisation of OMCT SOS-Torture Network, about the alleged ill-treatment, the forced military recruitment and the fear for the physical and psychological integrity of Mr. **Franak Vyachorka**, head of “Moladz BNF” (the youth organisation of the Belarus Popular Front).

According to the information received, Mr. Franak Vyachorka was arrested on 28 January 2009 by military police, during which he was allegedly ill-treated (in particular beatings on his head), and then forcibly taken to Mozyr regiment to fulfil his military service. At the time of issuing this urgent appeal, his current conditions are unknown.

According to the same information, previously on 16 January 2009, Mr. Franak Vyachorka had been forcibly taken to the military recruitment office by people in civilian clothes who failed to decline their identity. They had beaten him up and handcuffed him. The recruitment committee had concluded that he was fit for military service, despite the fact that the physical evaluation board had previously declared him unfit for military service in July and early September of 2008. Indeed, the situation of Mr. Franak Vyachorka had been examined already four times by the army medical commission, and each time he was declared unfit for military service due to his health condition¹. The Belarusian secret services allegedly put pressure on the army’s doctors in order to achieve a reversal of their earlier decisions. After forcibly being declared as able-bodied by the recruitment committee, Mr. Vyachorka had been handed his conscription to join the army on 26 January 2009. Mr. Vyachorka had subsequently lodged a claim that is currently waiting to be heard in the court of appeal.

The International Secretariat of OMCT is gravely concerned for the safety of Mr. Franak Vyachorka, in particular following the alleged ill-treatment suffered during his arrest and his forced military recruitment which, according to the information received, only aims at sanctioning his civic and political activities.

Actions requested

Please write a letter to the authorities in Belarus urging them to:

- i. Guarantee, in all circumstances, the physical and psychological integrity of Mr. Franak Vyachorka;
- ii. Respect the conclusions of doctors regarding the health status of Mr. Franak Vyachorka to exempt him from military service and abide by the legal requirements pertaining to the conscription of persons to the military service;
- iii. Call upon the competent authorities to carry out a prompt, effective, thorough, independent and impartial investigation into these events, in particular the allegations of ill-treatment during the arrest and the forced military recruitment, the result of which must be made public, in order to bring those responsible before a competent, independent and impartial tribunal and apply penal, civil and/or administrative sanctions as provided by law;
- iv. Ensure that adequate reparation is provided to the victim;
- v. Guarantee the respect of human rights and the fundamental freedoms throughout the country in accordance with national laws and international human rights standards

¹ Mr. Vyachorka reportedly suffers from a congenital cardiac malformation, retinal dystrophy, scoliosis, osteoporosis and has one amputated finger.

Addresses

- Alyaksandr Lukashenka, President, Administratsia Prezidenta Respubliki Belarus, ul.Karla Marksa, 38, 220016 Minsk, BELARUS, Fax: +375 17 226 06 10 +375 17 222 38 72
- Grigorii Vasilevich, Prosecutor General, Internatsionalnaya str., 22, 220050 Minsk, BELARUS, Fax: +375 17 226 42 52
- Vladimir Naumov, Minister of Internal Affairs, Gorodskoi Val str., 2, 220050 Minsk, BELARUS, Fax: +375 17 203 99 18
- 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

Please also write to the embassies of Belarus in your respective country.

Geneva, 16 February 2009.

Kindly inform us of any action undertaken quoting the code of this appeal in your reply.