

URGENT ACTION

ACTIVIST FACING JAIL FOR HELPING THE HOMELESS

Aliaksei Shchadrou is facing a two-year prison term in Belarus for acting on behalf of an unregistered religious organization. If jailed he will be a prisoner of conscience.

Aliaksei Shchadrou, a 28-year-old devout Catholic, had been running a shelter for homeless people, with a prayer room, in his detached house in a village in the western region of Hrodna, since December 2011. He has provided those in need, including the homeless, alcoholics and drug users with food, clothing, a bed and a bath. During the cold weather of 2012 and 2013 almost 30 people were living in his shelter. In February and April 2013 police raided his home, and during the February raid police confiscated religious books.

The head of Shchychyn District Police Department began criminal proceedings against Aliaksei Shchadrou on 11 June under Article 193-1 of the Criminal Code of Belarus, which criminalizes activities by unregistered organizations. Amnesty International has been campaigning for the removal of Article 193-1 because it violates the right to freedom of association. Aliaksei Shchadrou has been charged with organizing "at his place of residence an unregistered religious organization and secured the condition for its functioning without registration in accordance with the procedure established in law" since July 2012. Aliaksei Shchadrou told Forum 18, a human rights organization that promotes religious freedom: "I give them food, a bed, a bath and clothes and I pray together with them. But this is no religious organization, just charity."

On 15 July, Aliaksei Shchadrou appealed against the charge to the Prosecutor of Shchychyn District, arguing that the case against him under Article 193-1 is unconstitutional and violates the International Covenant on Civil and Political Rights.

Please write immediately in Belarusian, Russian, English or your own language:

- ✓ Calling on the authorities to halt criminal proceedings against Aliaksei Shchadrou, and stating that if he is jailed for his human rights activities Amnesty International will consider him a prisoner of conscience;
- ✓ Reminding them of their obligation under international law to respect and protect the rights to freedom of expression, peaceful assembly and association;
- ✓ Urging them to abolish article 193-1 of the Criminal Code, as it violates the freedom of association.

PLEASE SEND APPEALS BEFORE 28 AUGUST 2013 TO:

President

Alyaksandr Lukashenka
Administratsia Prezidenta Respubliki
Belarus
ul. Karla Marksa 38
220016 Minsk, Belarus
Fax: +375 17 226 06 10
+375 17 222 38 72 (say "fax"
clearly if voice answers)
Email:
contact@president.gov.by
**Salutation: Dear President
Lukashenka**

Head of Shchychyn Investigative Committee

Investigative Committee of Shchychyn
Ul. Krasnoarmeiskaya 1
231510 Hrodna Region
Belarus
**Salutation: Dear Head of the
Investigative Committee**

And copies to:

General Prosecutor
Alyaksandr Koniuk
Internatsionalnaya str. 22
220050 Minsk, Belarus
Fax: +375 17 226 42 52 (Say "fax"
clearly if voice answers)
Email:
info@prokuratura.gov.by
Salutation: Dear General Prosecutor

Also send copies to diplomatic representatives accredited to your country.

Please check with your section office if sending appeals after the above date.

**AMNESTY
INTERNATIONAL**



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ADDITIONAL INFORMATION

Article 193-1 was added to the Criminal Code on 15 December 2005, and any activity on behalf of an unregistered organization, including political parties and religious organizations, became a criminal offence punishable by a fine or imprisonment for up to two years. In 2011, the Council of Europe's Venice Commission stated that "by its very existence Article 193-1 has a chilling effect on the activities of Non-governmental organizations" and that "the restriction is so severe that it not only restricts freedom of association but also freedom of opinion and expression to an unjustifiable degree."

The introduction of Article 193-1 was followed by several convictions of young activists. Four members of the NGO Initiative Partnership, Mikalay Astreyka, Enira Branizkaya, Alyaksandr Shalayka and Tsimafey Dranchuk were arrested on 21 February 2006, and convicted in August of "organizing and running an unregistered organization that infringes the rights of citizens". They had planned to monitor the presidential elections that were due to take place that year. On 1 November 2006, Zmitser Dashkevich, a leader of the youth opposition movement Malady Front (Young Front), was sentenced to 18 months' imprisonment for "organizing or participating in an activity of an unregistered non-governmental organization". Another five members of Malady Front, Nasta Palazhanka, Boris Garetskii, Oleg Korban, Zmitser Fedoruk and Aleksei Yanushevskii, were prosecuted for "organizing or participating in the activity of an unregistered organization" on 29 May 2007. Four of the group were fined and the fifth received an official warning. Two more members of the organization, Ivan Shilo and Nasta Azarka, were found guilty of the same offence on 4 September 2007 in two separate trials. Nasta Azarka was fined, but the judge found Ivan Shilo guilty, and issued a warning.

Most recently, Article 193-1 has been used against religious organizations to restrict their freedom of religion as well as their freedom of association. Three members of an unregistered Protestant Church were given an official warning on 1 June 2012 for acting in the name of an unregistered organization (Article 193-1) and inciting racial, national or religious hatred. The warning for inciting racial, national or religious hatred was rejected by the court, but the warning under Article 193-1 remained in force.

For more information please see Amnesty International's report *What is not permitted is prohibited: Silencing civil society in Belarus* (Index: EUR 49/006/2013): <http://amnesty.org/en/library/info/EUR49/006/2013/en>

Name: Aliaksei Shchadrou
Gender m/f: M

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