



**Statement on the situation of the Belarusian Human Rights Lawyers Alexander Danilevich,  
Vitaly Braginets en Anastasia Lazarenko**

Lawyers for Lawyers (L4L) continues to be deeply concerned about the deteriorating human rights situation in Belarus. Since the 2020 elections, Belarusian lawyers have been persecuted by various means such as disbarment, detention, and prosecution simply for performing their professional duties. L4L would like to use this statement to particularly draw attention to the situation of three Belarusian human rights lawyers, namely Alexander Danilevich, Vitaly Braginets and Anastasia Lazarenko.

*The individual cases of attorneys Danilevich, Braginets and Lazarenko*

On 10 April 2023 the Minsk Municipal Court sentenced **Alexander Danilevich** to ten years in prison. Danilevich pleaded not guilty and insisted that he had only been performing his legitimate duties. Arrested on 20 May 2022, he was held in pre-trial detention and charged with abetting public calls for actions aimed at harming the national security of the Republic of Belarus (Article 16, Part 6 and Article 361, Part Three of the Criminal Code). The prosecution argued that he had provided legal assistance to two prominent Belarusian athletes who spoke out against human rights violations. He was further alleged to have helped prepare appeals from the Belaruskali (Belarusian manufacturer and exporter of potash fertilizers) strike committee to the Norwegian company, Yara, a significant buyer of Belaruskali potash products. The prosecution claimed that these letters contained “deliberately false information” about events in Belarus and that they called on Yara to terminate contractual relations with Belaruskali. Prior to his arrest, Danilevich suffered months of backlash for signing a petition calling for an end to the war in Ukraine. He was subject to disciplinary action and heard that his contract with the Belarusian State University, where he had taught for more than 20 years in the Faculty of International Relations, would not be renewed. He was declared a political prisoner on 28 June 2022 by a coalition of Belarusian human rights organizations. After his conviction, the Belarusian Association of Human Rights Lawyers issued a statement saying that Danilevich did not commit any crimes but had exercised his constitutional right to freedom of expression and performed his professional duties.

Lawyers for Lawyers was informed that, in February 2023, **Vitaly Braginets** was sentenced by the Minsk City Court to eight years in a penal colony. His trial was held behind closed doors. Originally detained on 23 May 2022, Braginets was questioned about his “involvement in protest activities” (he had taken part in an unauthorised protest in Minsk) and, while he was being questioned, he was accused of “disobeying a police officer” under Article 24.3 of the Code on Administrative Offences. For this alleged offence Braginets was sentenced to fifteen days detention but was still held after the fifteen days expired and remained in custody until his trial. As a result of his administrative arrest Braginets was disbarred. At his criminal trial he was prosecuted under four articles of the Criminal Code – incitement of hatred (Article 361, Part Three), calls for action against national security (Article 361, Part Three),

creation of an extremist formation or participation in it (Article 361-1) and gross violation of order (Article 342, Part 1). As with Danilevich, Braginets was declared a political prisoner.

Criminal charges were also brought to lawyer **Anastasia Lazarenko**, which led to her detention and finally to her trial in May 2023. First, she was accused of allegedly organising an “unauthorized mass event” when she consulted individuals near the Okrestina temporary detention center in Minsk in August 2020. When originally detained in June 2022, law enforcement came to her house and brutally detained her. More recently she faced a new criminal investigation for allegedly passing data of law enforcement officers and judges to representatives of the telegraph channel “Black Book of Belarus”. L4L was informed that Lazarenko’s case was heard by the Minsk City Court, who sentenced her to six years in a penal colony on 11 May 2023. The Court found her guilty under three articles of the Criminal Code: Gross violation of order (part 1 of Article 342 of the Criminal Code), unlawful acts in relation to information on private life (Article 203-1 of the Criminal Code) and finally for assistance in inciting enmity or discord (part 6 of Article 16 and part 3 of Article 130 of the Criminal Code). L4L was informed that Lazarenko had no legal representation at her trial as her lawyer was summoned to the court as a witness in the case and therefore could not proceed with representing her interests.

#### *Appeal to the Belarusian authorities*

Lawyers play a vital role in upholding the rule of law and the protection of human rights and their work is indispensable for public confidence in the administration of justice and to ensure access to justice for all. The criminal prosecution of Alexander Danilevich, Vitaly Braginets en Anastasia Lazarenko form an undue interference in their legal profession.

An independent legal profession advocating before independent courts and tribunals is essential to the impartiality and integrity of the legal system. Therefore, Lawyers for Lawyers further would like to draw your attention to the United Nations Basic Principles on the Role of Lawyers and more in particular Article 16, which reads:

*16. Governments shall ensure that lawyers (a) are able to perform all of their professional functions without intimidation, hindrance, harassment or improper interference; (..) and (c) shall not suffer, or be threatened with, prosecution or administrative, economic or other sanctions for any action taken in accordance with recognized professional duties, standards and ethics.*

In view of the above, Lawyers for Lawyers respectfully urges the Belarusian authorities to:

- Immediately and unconditionally release Alexander Danilevich, Vitaly Braginets en Anastasia Lazarenko from custody.
- Drop any charges against them and put an end to all acts of harassment against them, including judicial harassment unless credible evidence is presented in proceedings that comply with international fair trial standards.
- Pending their release guarantee their psychological and physical integrity and ensure that international standards on conditions of detention are complied with.

- Guarantee that all lawyers in Belarus are able to carry out their legitimate professional activities without fear of reprisals and free of all restrictions including judicial harassment.

Foundation Lawyers for Lawyers

22 May 2023