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7 November 2023

Belarus: A new criminal case opened against human rights defender Leanid Sudalenka

On 1 November 2023, the Investigative Committee of Homiel region opened a criminal case against Belarusian human rights defender Leanid Sudalenka. He is charged with "facilitating extremist activity", an offence envisaged by Article 361-4 of the Belarusian Criminal Code. Under the article, the convicted person can be imprisoned for up to six years.

[Leanid Sudalenka](#) is a prominent human rights defender, lawyer, and heads the Gomel branch of the Human Rights Centre Viasna (HRC Viasna). He is also an active campaigner and advocate for the abolition of the death penalty in Belarus. Leanid Sudalenka is laureate of the 2018 'Liberty, Equality, Fraternity' Human Rights Prize of the French Republic. In 2020, together with human rights defenders Marfa Rabkova, Andrei Chapiuk, and Tatsiana Lasitsa, Leanid Sudalenka was awarded a Homo Hominin Award. The Homiel branch of the HRC Viasna provides legal support to victims of human rights violations and helps them to prepare individual complaints to the United Nations Human Rights Committee.

On 1 November 2023, the Investigative Committee of Homiel region opened a criminal case against the human rights defender Leanid Sudalenka under the charges of the "other facilitation of extremist activity" as provided by Article 361-4 of the Belarusian Criminal Code. The punishment for this offense ranges from two to six years of imprisonment. Since the human rights defender resides outside of Belarus he has not yet familiarised himself with the case files. Leanid Sudalenka remains unsure which of his actions the authorities deemed as constituting "other facilitation of extremist activity." Previously, on 14 August 2023, the Belarusian Committee for State Security (KGB) listed the Homiel branch of the Human Rights Centre Viasna (HRC Viasna) as an extremist organization and added the Homiel branch's website and social media accounts to the Republic's List of Extremist Content. The declaration of the Homiel branch of HRC Viasna and its online content as extremist exposes those who engage with this branch of the human rights organization to risks of administrative and criminal prosecution. Since Leanid Sudalenka is the Head of the Homiel Branch of Viasna, authorities can target the human rights defender on these grounds.

Leanid Sudalenka also believes that the criminal case could be a reprisal for him being outspoken about his experience as a political prisoner in Belarus. In July 2023, the Belarus authorities released the human rights defender from the penal colony where he spent three years for the alleged "organization and preparation of or active participation in actions that grossly violate public order." After his release, Leanid Sudalenka shed a lot of light on his experiences in prison, including gross human rights violations occurring within the penitentiary system. In prison, the authorities restricted Leanid in his communication with the outside world as a form of psychological violence. Human rights defenders publicly reported that the prison authorities targeted political prisoners with additional punishments for the tiniest violations, like a loose button on their shirts. Moreover, having a medical condition, Leanid was unable to access medical support for the time he was in prison.

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Company No. 593190; Registered Charity No. 20204494; CHY 22404

Front Line Defenders believes that Leanid Sudalenka is being targeted with a new round of criminal persecution as retaliation for his continued human rights work in a state-orchestrated attempt to silence human rights defenders. Such targeting is a part of the systematic attack against human rights defenders and organizations in Belarus, ongoing since the August 2020 presidential elections and mass protests that erupted after the election events. Front Line Defenders condemns the opening of a criminal case against Leanid Sudalenka on the charges of "facilitating extremist activity," and urges the Belarusian authorities to immediately and unconditionally overturn its decision to list the human rights organization and its content as extremist and to stop using security laws to justify the prosecution of human rights defenders and organizations.

Front Line Defenders calls upon the authorities in Belarus to:

1. Immediately and unconditionally seize the investigation and close the criminal case launched against human rights defender Leanid Sudalenka;
2. Refrain from using security laws to target human rights defenders, journalists, and lawyers, and their respective human rights organizations;
3. Guarantee in all circumstances that all human rights defenders in Belarus can carry out their human rights activities without fear of reprisals and free of all restrictions, in line with Belarus' international human rights obligations and commitments.