

April 21, 1999

President Alexander Lukashenko  
Presidential Office  
Minsk 220010  
Republic of Belarus

Dear President Lukashenko:

The American Bar Association (ABA), representing over 400,000 members of the legal community, strongly supports fundamental human rights throughout the world.

We are deeply concerned about reports of threats and harassment directed against Vera Stremkovskaya, a prominent Belarus human rights lawyer. According to reports, Ms. Stremkovskaya has been sternly reprimanded and faced possible disbarment and imprisonment as a result of her efforts to support human rights and represent politically unpopular defendants.

According to organizations concerned with human rights violations, the government of Belarus threatened to revoke Ms. Stremkovskaya license to practice law based upon her vocal support for the rule of law. Reportedly, the harassment began after Ms. Stremkovskaya criticized what she said were deficiencies in legal protections in Belarus, particularly the harsh conditions of pretrial confinement for two of her clients, during a series of meetings in New York in September 1998. Following the meetings, Ms. Stremkovskaya was reportedly summoned before officials of the Minsk Collegium of Advocates and the Ministry of Justice, who denounced her comments as "illegal" and "unethical" and threatened her with disbarment.

In December 1998, Ms. Stremkovskaya was summoned before additional officials, including the Chief Justice of the Supreme Court, the chairman of the Belarus Collegium of Advocates, and the director of the Justice Department. Each official reportedly accused her of spreading "false information" about the government, berated her for seeking intervention by international human rights groups, and again threatened her with disbarment. Ms. Stremkovskaya was also reportedly told that she must choose between her support for human rights and the practice of law. We understand the Collegium most recently issued Ms. Stremkovskaya a stern reprimand or censure of her activities, reserving a decision on whether to revoke her law license.

Also, according to recent reports, Ms. Stremkovskaya is also facing possible criminal charges in connection with her representation of politically unpopular defendants. Prosecutors and other officials have apparently requested criminal sanctions against Ms. Stremkovskaya following her attempts to have a client released from pretrial detention. The judge has reportedly forwarded the complaint to the Kirovsky District Department of Internal Affairs and has made a separate complaint against Ms. Stremkovskaya to the Minsk Collegium. Reports further suggest that, in a separate case, the director of the Pervomaisky District Law Center has filed a complaint against Ms. Stremkovskaya for representing a client on a *pro bono* basis.

As the largest bar association in the United States, the ABA is compelled to call attention to injustices wherever they occur. Ms. Stremkovskaya is a well-known human rights advocate in Belarus, and her leadership in human rights is internationally recognized. We are concerned that this pattern of events, including the demand that Ms. Stremkovskaya "choose" between support for human rights and the practice of law, demonstrates a concerted effort by Belarus officials to punish her for legitimate human rights activities.

These allegations, if true, would constitute a serious violation of the rule of law in Belarus. The threats against Ms. Stremkovskaya violate her right to freedom of expression and association, which is guaranteed by Articles 19 and 22 of the International Covenant on Civil and Political Rights, to which Belarus is a State Party.

In addition, the reported harassment of Ms. Stremkovskaya violates Articles 1, 5-9, and 12 of the United Nations Declaration on Human Rights Defenders and Article 23 of the United Nations Basic Principles on the Role of Lawyers, which state, in part, that lawyers "shall have the right to take part in public discussion of matters concerning the law, the administration of justice and the promotion and protection of human rights and to join or form local, national or international organizations and attend their meetings, without suffering professional restrictions by reason of their lawful action or their membership in a lawful organization."

A fundamental concern of the American Bar Association is the maintenance of the rule of law, and the elements necessary to sustain it, in the international community. We agree that the preservation of public order is a responsibility of any government. Nevertheless, such concerns cannot justify suppressing freedom of expression and assembly or punishing lawyers for vigorously representing unpopular clients.

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We respectfully urge the government of Belarus to cease any harassment of Ms. Stremkovskaya and to preserve her right to both advocate on behalf of human rights and practice law. With utmost respect, we further urge your government to take whatever action is appropriate to comply with its international commitments, including the Basic Principles on the Role of Lawyers and the Declaration on Human Rights Defenders, and to take all necessary steps to remedy a situation, as we understand it to exist, within your power to correct.

Respectfully yours,

A handwritten signature in black ink, reading "Philip S. Anderson". The signature is written in a cursive style with a large initial "P" and a long horizontal stroke at the end.

Philip S. Anderson