

**BY (PRIORITY) AIRMAIL**

H.E. Oleg Slizhevskij  
Ministry of Justice  
Kollektornaya Str, 10  
220004 Minsk  
Belarus

Amsterdam, 18 March 2021

**Re: Revocation of License to Practice Law of Five Lawyers**

Your Excellency,

Lawyers for Lawyers (“L4L”) is an independent and non-political Dutch foundation that seeks to promote the proper functioning of the rule of law by pursuing freedom and independence of the legal profession. Lawyers for Lawyers was granted Special Consultative status with the UN Economic and Social Council in July 2013.

The Law Society of England and Wales (the “Law Society”) is the professional body representing more than 180,000 solicitors in England and Wales. Its concerns include upholding the independence of the legal profession, the rule of law and human rights throughout the world. The Law Society holds special consultative status with the Economic and Social Council of the United Nations since 2014.

L4L and the Law Society are deeply concerned about the revocation of the licenses to practise law of five Belarus lawyers who have been providing legal services to, among others, detained protestors and political opponents of the Belarus government. In February 2021, the licenses of Maksim Konon<sup>1</sup>, Liudmila Kazak<sup>2</sup>, Kanstantsin Mikhel<sup>3</sup>, Mikhail Kirilyuk<sup>4</sup>, and Vladimir Sazanchuk<sup>5</sup> were revoked following decisions made by

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<sup>1</sup> On 19 February 2021, the Qualification Commission decided to deprive Mr. Konon of his license to practise law. Mr. Konon was previously sentenced to an administrative detention for allegedly participating in a protest in Braslav.

<sup>2</sup> On 19 February 2021, the Qualification Commission decided to deprive Ms. Kazak of her license to practise law. Ms. Kazak was disbarred following the administrative penalty under article 23.4 of the Belarusian Administrative Code. She was allegedly sanctioned for representing the interests of political activists, including Maria Kolesnikova. Ms. Kazak is the fourth lawyer of Ms. Kolesnikova who has been subjected to persecution.

<sup>3</sup> On 19 February 2021, the Qualification Commission decided to deprive Mr. Mikhel of his license to practise law. Mr. Mikhel was previously brought to administrative responsibility for violating the order of organising mass events under article 23.34 (1) of the Belarusian Administrative Code.

<sup>4</sup> On 19 February 2021, the Qualification Commission decided to revoke Mr. Kirilyuk’s license to practise law. He was disbarred for his “inappropriate online statements about the authorities”.

<sup>5</sup> On 24 February 2021, the Disciplinary Committee of the Minsk City Bar Association decided to revoke Mr. Sazanchuk’s license to practise law. Sazanchuk was disbarred, among other things, for publicly criticizing the authorities for putting multiple obstacles to lawyers in performing their professional duties.

the Qualification Commission for legal practice in the Republic of Belarus (Qualification Commission)<sup>6</sup> and the Minsk Bar Association.

The UN High Commissioner for Human Rights noted in her recent report on the situation of human rights in Belarus: *“In Belarus, lawyers defending politically sensitive cases or cases involving human rights violations have been under pressure, harassed and intimidated for exercising their professional activities. They face disbarment or disciplinary sanctions by the Bar Association, which lacks independence and over which the Ministry of Justice exercises broad control. For instance, on 15 October, the licence of Aleksandr Pylchenko, the defence lawyer of Viktor Babariko and Maria Kolesnikova, was revoked”*.<sup>7</sup>

L4L and the Law Society have raised concerns about the threats to the independence of the legal profession and access to justice in the aftermath of the recent elections in Belarus.<sup>8</sup> We believe that the revocation of the licenses of these five lawyers is related to their professional activities and constitutes improper interference with such activities.

We draw your attention to the United Nations Basic Principles on the Role of Lawyers<sup>9</sup>, specifically Articles 16, 18, and 23 which read:

*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.*

*18. Lawyers shall not be identified with their clients or their clients' causes as a result of discharging their functions.*

*23. Lawyers like other citizens are entitled to freedom of expression, belief, association and assembly. In particular, they 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. In exercising these rights, lawyers shall always conduct themselves in accordance with the law and the recognized standards and ethics of the legal profession.*

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<sup>6</sup> We have been informed that the Qualification Commission for legal practice is established by the Ministry of Justice and that only 8 out of 17 members of the commission are lawyers.

<sup>7</sup> Situation of human rights in Belarus in the context of the 2020 presidential election, Report of the United Nations High Commissioner for Human Rights, A/HRC/4.

<sup>8</sup> <https://lawyersforlawyers.org/en/belarus-lawyers-prevented-from-carrying-out-their-professional-duties/>

<sup>9</sup> The UN Basic Principles on the Role of Lawyers provide a concise description of international norms relating to the key aspects of the right to independent counsel. The Basic Principles were unanimously adopted by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders in Havana, Cuba on 7 September 1990. Subsequently, the UN General Assembly “welcomed” the Basic Principles in their ‘Human rights in the administration of justice’ resolution, which was adopted without a vote on 18 December 1990 in both the session of the Third Committee and the plenary session of the General Assembly.

In view of the above, Lawyers for Lawyers and the Law Society respectfully urges the relevant authorities in Belarus to:

- Review and annul the decisions revoking the licenses of these lawyers and reinstate them with immediate effect;
- Abstain from any further measures that would constitute improper interference with their professional activities; and
- Guarantee that all lawyers in Belarus, including the ones named above, are able to practice law without threat, intimidation, hindrance, harassment, improper interference or reprisals.

We will continue to monitor the situation in Belarus, as well as the situation of other members of the legal profession there.

Yours sincerely,  
Lawyers for Lawyers  
The Law Society of England and Wales

CC

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