

European Bureau for Conscientious Objection



35 Van Elewyck street, 1050 Brussels, Belgium
www.ebco-beoc.org / ebco@ebco-beoc.org / [@ebcobeoc](https://www.instagram.com/ebcobeoc)

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On behalf of EBCO-BEOC, the largest platform of organizations and individuals to promote the right to conscientious objection to war and military service and full member of the European Youth Forum, hereby write in support of the renewed applications for political asylum by Belarusian citizen and conscientious objector Hleb Smirnou.

We are encouraging further signatories who may join our appeal to send this letter to you directly.

Hleb Smirnou (Belarusian national, 26 years, born 30 January 1999) is currently subject to removal proceedings amounting to forced deportation to Belarus, following the rejection of his initial asylum claim and his designation by the Lithuanian authorities as a “*national security threat*.” A renewed asylum application is under examination and a decision may be taken at any time. If international protection is denied again, deportation may be executed without further delay.

Documentary evidence establishes that Hleb Smirnou actively participated in the 2020 peaceful assemblies in Minsk, documented police violence and transmitted video to Radio Free Europe/Radio Liberty—conduct criminalised under Article 361-1 of the Belarusian Criminal Code (up to 7 years); is publicly identifiable as a volunteer of the civil society organisation “Our House,” where he assisted Ukrainian refugees, thereby facing exposure to charges under Articles 361-1 and 361-2 (penalties up to 20 years) given the organisation’s “extremist” designation and the listing of its director, Olga Karach, on the national “terrorist” KGB registry; became liable again to compulsory conscription and criminal punishment for refusal following the February 2023 abolition of medical exemptions; and has been individually identified through seized Telegram communications of Belarusian refugees in Lithuania used by Belarusian authorities to compile prosecution case files.

He has a confirmed high cognitive-functioning neurodivergent profile, with communication patterns leading to literal interpretation of abstract questions. This neurocognitive feature contributed to a misunderstanding of a security questionnaire in Lithuania. While explicitly condemning the Russian aggression against Ukraine, he interpreted a question on “Crimea’s legitimate ownership” in a strictly factual manner (de facto current control), without expressing any political position. This misinterpretation has since been used as the sole basis for a national security designation and punitive migration measures.

Hleb is a highly skilled IT specialist who obtained a highly selective EU Blue Card in Lithuania, demonstrating successful integration, professional demand, and absence of any security-related concerns prior to the above-mentioned administrative interpretation.

As a result of the national security label, he has been subjected to compounded sanctions: annulment of residence permit, five-year entry ban, deprivation of work rights, exclusion from health care, and restriction of access to social support. For more than three years, he has been forced into destitution and legal limbo, without income, documentation, or access to essential medical treatment. This situation has caused severe deterioration of his mental health, with clinical reports indicating high suicide risk in the context of further deportation pressure.

The risk associated with deportation to Belarus is acute, individual, and well substantiated: prosecution for refusal of military service; persecution under “extremism” statutes for his documented civic activities; and a pattern of ill-treatment of persons with neuropsychiatric conditions in closed institutions. Deportation would expose him to detention in conditions incompatible with his health status and would likely result in irreversible harm.

The use of a misinterpreted answer in a security form to justify removal of a peaceful conscientious objector to a country where he would face criminalization, torture, and inhuman treatment is incompatible with Article 3 ECHR, Article 33 of the Refugee Convention, and Articles 4, 18, 19(2) of the EU Charter. The national security justification cannot derogate from absolute non-refoulement obligations.

Lithuania has a duty to ensure that **disability-related communication characteristics** are not used, directly or indirectly, as grounds for exclusion, punishment, or deportation, pursuant to CRPD Articles 5, 14, and 15.

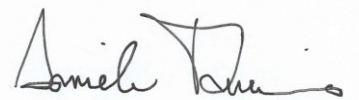
Further removal actions in the current medical and legal context would carry a foreseeable and immediate risk to life.

We submit that the absolute principle of non-refoulement, codified in Article 33 of the 1951 Refugee Convention and Article 3 of the Convention against Torture, prohibits the return of any individual to Belarus where substantial grounds indicate a risk of persecution, torture, or other ill-treatment. Deportation would also breach Article 3 of the European Convention on Human Rights, in the context of Belarus’s well-documented violations engaging Articles 2 (right to life; death penalty retained), 5 (prohibition of arbitrary detention), 6 (right to a fair trial), 9 (freedom of thought, conscience and religion), 10 (freedom of expression), and 11 (freedom of peaceful assembly and association).

In the case of conscientious objector Hleb Smirnou, there is a strong and immediate risk of prosecution for peaceful activities before and after exile that are protected in democratic states; denial of a fair trial and arbitrary detention; torture or other ill-treatment in custody; and forced military recruitment contrary to conscience or imprisonment for refusal.

We therefore call on you to suspend all deportation proceedings against Hleb Smirnou; grant him immediate temporary protection or another lawful form of stay; ensure access to legal aid, social services and health care; grant international protection; and cancel any Schengen Information System alerts or other measures inconsistent with these obligations.

Best regards,
Daniele Taurino – EBCO President



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The European Bureau for Conscientious Objection (EBCO), founded in Brussels in **1979**, promotes the right to conscientious objection to war and military activity as a fundamental human right. It has held participatory status with the **Council of Europe** since 1998 and has been a member of its **Conference of INGOs** since 2005. Since 2021, EBCO can lodge collective complaints under the European Social Charter. EBCO has also been a full member of **the European Youth Forum** since 1995.