

Rule of Law à la Belarus

The Battle of my Life

Atrocities committed by the Supreme Court



Since April 18, 2017, I have been battling with all legal means in Belarus using and relying upon the principles of The Hague Convention regarding International Child Abduction to return my daughters to their home, where they were born – to Sweden. Thus, I soon realized that the Rule of Law does not exist in Belarus.

After the Abduction of my daughters in 2017, I have gone thru an exhausting legal battle, where Political & Judicial corruption is “FUNDAMENTAL” in every corner of Belarusian society and recognized by “Political Prostitutes”. Therefore, I regret to inform all of you reading my desperate reach out for “HELP” that, unfortunately, Belarusian authorities do not follow and do not respect The Hague Convention protocols.

***Belarus is basically an Offshore State for
Abducting Parents who are Belarusian Citizens!***

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Attorneys Complaint submitted to the Supreme Court of Belarus, deputy Andrei Alexandrovich Zabara by Attorney Ms. Martha Poni from Hellas.



Andrei Alexandrovich Zabara, Deputy Chairman of the Judicial Collegium for Civil Cases of the Supreme Court of the Republic of Belarus

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Your High Court, Mr. A.A. Zabara,

My name is Martha Poni, the Attorney of Mr. Nicolaos Cheropoulos in Greece. As the Deputy President of the Supreme Court of the Republic of Belarus, you proceeded with the issuance of decision No. 034–684 (22nd of May 2020) on the submitted appeal by Mr. Nicolaos Cheropoulos against the court decisions issued in the trial opened by Trafimovich Lyudmila Arkadyevna against Nicolaos Cheropoulos and concerned the determination of the residence of their minor children and the determination of alimony.

For a long time now, I have been wondering if it would make any difference for me to try to express my opinion on the above decision of the Supreme Court of the Republic of Belarus. I finally decided that even if my opinion is not important to you, I must share it with you, respecting the democratic principles with which I grew up and the freedom of speech with which I learned to practice law in Greece.

With the above decision, you concluded and judged that the reasons for the appeal could not be accepted and satisfied. You have reached this conclusion by examining the case file, which contains only the arguments and claims of the plaintiff – the mother of the children (citizen of the Republic of Belarus), without ever examining or considering the views and arguments of the defendant – the father of the children (Swedish and Greek citizen), who should enjoy the same rights as the mother, Ms. Trafimovich.

The mother did not have the children alone but with Mr. Cheropoulos, by her choice. Neither does her status as a mother, self-evidently mean that she is the most suitable for these children's upbringing. The father's position and opinion remained unknown. They were never heard or considered by the Republic of Belarus' judicial authorities to draw a safe conclusion in the best interests of the children. I will not go into the details of how the children were found to be living in Belarus, unbeknownst to the father and illegally moved by the mother, because this is another case, which you were not called upon to judge.

However, I will refer to the refusal of the Judicial Authorities of the Republic of Belarus to listen and consider the arguments and opinion of the father, who was never legally notified of the court on the 27th of December, 2018, and since then has filed a series of appeals which are constantly and unjustifiably rejected. The rule of law applicable to the service abroad of judicial and extrajudicial documents in civil or commercial matters, to which the Republic of Belarus is a party, having ratified it since 1998, is Article 15 of the Convention 15.11.1965.

The International Convention of 15.11.1965 does not repeal the service provisions of the domestic law of the signatory countries but ensures that the document is delivered to the recipient, thus avoiding fictitious service and the absence of a party to the trial.

Mr. Cheropoulos was never legally notified of the trial on the 27th of December, 2018, while the judicial authorities of the Republic of Belarus insist on rejecting the above argument without justification. I expected from the Supreme Court of the Republic of Belarus the strict and absolute implementation, but also respect for International Law and International Conventions.

To my great disappointment, I found, from your above decision, that you too reject this true and well-founded argument of the father, without any legal reason, avoiding referring to the International Convention of 15.11.1965 and concluding that the defendant on the day of the hearing, was in the Republic of Belarus, knew that the case was going to be heard, but did not appear in court or authorize his representative to do so.

What is the valid evidence that the defendant was legally notified and knew about this trial?

In your decision, you do not rely on any document proving the legal notice of the defendant. Which rule of law of the Republic of Belarus is superior to Article 15 of the Convention of 15.11.1965? Because if no rule of law prevails over Article 15, then you had to apply the provisions of the International Convention, which was ratified by the Republic of Belarus in 1998 (!)

Even if Mr. Cheropoulos learned about the trial one day before the trial, on the occasion of his visit to Belarus to see his children, how could he be ready either to attend or to authorize an Attorney, and how is it finally proved and turn out that he was immediately informed? When would he be able to prepare for such a trial involving his children?

We cannot look at a case unilaterally and draw conclusions that affect the lives of innocent children who cannot defend themselves on their own but depend on us, the wise adults. Your decision has consequences and determines the lives of children who, besides having a mother, also have a father.

You also state in your decision that there is no evidence in court that the mother spoke negatively to the children about their father or prevented him from communicating with their daughters.

How did you come to this conclusion, since you never heard the defendant–father? Was just one lawsuit from the mother from 2018 enough to conclude that the mother does not prevent them from communicating with their father?

Did you know that the father cannot even communicate with his children because now they only speak Belarusian, and the mother refuses to teach the children Swedish or Greek in order to communicate with their father?

Did you know that the father did not even know what school his children attended until recently because the mother refused to inform him? The defendant had to send a series of requests to the Ministry of Education to learn about his children's school.

So, what evidence did you take into account to conclude that the mother does not create any problems for the father in the communication with their children?

Perhaps you don't bother or pay attention to the issue. However, all the authorities of a state still have an obligation to protect children and respect both maternal and paternal rights, as well as human rights, something you do not seem to have done. How would each of us really feel if we were in this father's position as a parent? I can imagine it, and I really shudder just at the idea.

With all due respect to your face, I had to express my point of view because I exercise a function, I serve the law and truth, and I believe in freedom of speech and opinion. I wish no man and no father to be treated the way Mr. Cheropoulos was treated in the Republic of Belarus, and I wish no child in the future to be deprived of his father and parents in general because of the decisions of "wise" and "respectable" adults.

*Yours sincerely
Martha Poni
Lawyer of Greece
Mother of Children
Human*

**In case there are some divergences in the interpretation of the above text, the original text in the Greek language shall prevail.*

*Nicolaos AA Cheropoulos
Stockholm, Aug. 2020
Father of Anthie' and Alexandra
Reviewed Oct. 2023*