



TEXTS ADOPTED

P8_TA(2018)0375

Deterioration of media freedom in Belarus, notably the case of Charter 97

European Parliament resolution of 4 October 2018 on the deterioration of media freedom in Belarus, notably the case of Charter 97 (2018/2861(RSP))

The European Parliament,

- having regard to its previous resolutions on Belarus,
 - having regard to the Universal Declaration of Human Rights and to all human rights conventions to which Belarus is a party,
 - having regard to Rules 135(5) and 123(4) of its Rules of Procedure,
- A. whereas in February 2016 the EU lifted most of its restrictive measures against Belarusian officials and legal entities as a gesture of goodwill aimed at starting a policy of engagement with a view to encouraging Belarus to respect the principles of human rights, democracy and rule of law;
- B. whereas the EU has repeatedly reiterated that EU-Belarus relations can only be further advanced once they are based on trust and the values of democracy, the rule of law and fundamental freedoms;
- C. whereas current policies in Belarus undermine these values, thereby preventing the EU from offering Belarus broader participation in the Eastern Partnership and closer relations, or from signing the EU-Belarus Partnership Priorities;
- D. whereas the situation in terms of freedom of media and freedom of speech is continuing to deteriorate in Belarus, as evidenced by severe harassment of independent news portals and journalists, as in the ‘BelTA case’;
- E. whereas Belarusian authorities have recently initiated a wave of police harassment and intimidation against journalists;
- F. whereas Reporters without Borders concludes that more than 100 journalists were arrested in 2017, mostly while covering opposition protests; whereas harassment of freelance journalists working for independent media outlets based abroad has reached unprecedented levels, with these journalists unable to get accreditation;

- G. whereas the leading independent news website Charter 97.org, which focuses on human rights and opposition causes and takes its name from Charter 97, a declaration of 1997 calling for democracy in Belarus that was signed by journalists, opposition politicians and rights activists, was forced to move to Warsaw, Poland, where it has been operating from since 2011, after it was blocked multiple times by the Belarusian authorities, with its offices raided twice by the police and its equipment confiscated that same year;
- H. whereas since 24 January 2018 access to the Charter 97 website has been blocked within Belarus, for an indefinite duration, without trial and amid vague allegations of ‘threats to the national interest’; whereas according to the editor-in-chief of Charter 97, Natalya Radina, in the month following the blocking of the Charter 97 website the number of visitors to the site from within Belarus decreased by 70 %;
- I. whereas Ms Radina has received death threats;
- J. whereas on 16 April 2018 access to the Charter 97 website was also blocked by the Russian authorities within the territory of the Russian Federation;
- K. whereas the founder of Charter 97, Aleh Byabenin, was found hanged at his home near Minsk in September 2010; whereas Belarus-born Pavel Sheremet, a spokesperson for the organisation behind Charter 97, was killed in a car bombing in Kiev, the capital of Ukraine, in July 2016;
- L. whereas in early August 2018 Belarusian authorities carried out raids in the editorial offices of several independent Belarusian outlets, starting with Tut.by and followed by searches in BelaPAN, realty.by, Belaruskaya Navuka and Kultura; whereas the raids resulted in arrests and detention of journalists, including the editor-in-chief of Tut.by, over allegations that they had illegally accessed and used online information provided by the state-owned news agency BelTA;
- M. whereas on 7 August 2018 Belarus’ Investigative Committee opened a criminal case under Article 349(2) of the Criminal Code punishable by up to two years in prison (illegal access to computer information committed out of other personal interest which caused substantial harm) against journalists and editors of a number of online resources and arrested 18 journalists, seven of whom were detained as suspects for three days; whereas there have been cases of pressure being put on journalists and their relatives and of them being forced to cooperate with the intelligence service and police;
- N. whereas the latest amendments to the Law on Mass Media, adopted in June 2018, extend government control to online media outlets; whereas the changes, which will enter into force on 1 December 2018, will impose further bureaucratic hurdles for websites wishing to register as official online media outlets;
- O. whereas websites which choose not to register, despite the new legislation, or do not meet the new criteria, are denied accreditation with government institutions, thereby further censoring the press; whereas both registered and unregistered online media outlets will also be obliged to register the names of people who submit comments; whereas the owners of registered online media outlets will also be legally responsible for the content of such comments;
- P. whereas new legislation will require that authors of all posts and comments on online

forums be identified and that website owners moderate such comments;

- Q. whereas the UN Special Rapporteur on the situation of human rights in Belarus, Miklós Haraszti, and the OSCE Representative on Freedom of the Media, Harlem Désir, have expressed the view that these legislative changes constitute an unacceptable restriction of freedom of speech and access to information;
- R. whereas Belarus ranks 155th in the Reporters Without Borders' 2017 World Press Freedom Index, which evaluates the level of press freedom in 180 countries each year;
- S. whereas since the beginning of 2018, Belarusian journalists, whose right to gather, store and disseminate information is guaranteed by the Constitution, have been fined over 70 times for cooperation with foreign mass media without accreditation, the fines totalling over BYN 60 000; whereas Article 22.9 of the Code of Administrative Violations has become an efficient tool to harass independent journalists and media outlets such as Belsat TV, which has been operating from Poland since 2011;
- T. whereas Belarus remains the only country in Europe that still practises capital punishment;
- U. whereas specific categories of people in Belarus are being subjected to false imprisonment and arbitrary detention, denial of proper care and contact with family members while in detention, state-organised physical and psychological violence, prosecution and conviction on spurious and falsified charges, disproportionate financial penalties, administrative sanctions and other forms of repression by the Belarusian authorities; whereas these categories include political prisoners (notably Mikhail Zhamchuzhny and Dzmitry Paliyenka), known political opponents, human rights activists, civil society actors, activists in environmental, non-governmental and civil society organisations, independent bloggers, journalists and editors, peaceful protestors from all walks of life, and, in particular, activists of independent trade unions (notably Henadz Fiadynich and Ihar Komlik);
1. Strongly condemns the repeated harassment and detention of journalists and independent media in Belarus; urges the authorities to end all judicial harassment, intimidation and threats against journalists and independent media and to allow all news portals to operate freely;
 2. Considers the blocking of the news website Charter 97 by the Belarusian authorities since January 2018 unacceptable; reiterates its call on the Belarusian authorities to immediately and unconditionally lift the block imposed on internet access to the news website within Belarus;
 3. Strongly condemns the amendments adopted to the media law, which are being used to tighten control over the internet; reiterates its strong concern about the worsening climate for independent and opposition websites and media outlets and journalists in Belarus;
 4. Is of the view that independent media do not constitute a threat to the authorities but rather are an important element to the checks and balances system and hence should be seen by the government as a potential critical partner and not as an enemy;
 5. Regrets the fact that Belarus is continuing to persist with a repressive and undemocratic

policy against journalists, lawyers, political activists, human rights defenders, civil society actors, trade unionists and others who are seen as a threat to the political establishment; underlines that such repression hinders any closer relationship with the EU and broader participation in the Eastern Partnership;

6. Reiterates its calls on the Belarusian authorities to strengthen respect for democratic principles, rule of law, human rights and fundamental freedoms, including respect for truthful and unbiased journalism, in accordance with the Universal Declaration of Human Rights and the international and regional human rights instruments ratified by Belarus;
7. Calls for the EU institutions to include in the EU-Belarus Partnership Priorities strong references to the independence of the media, freedom of speech and freedom of assembly; calls on the European External Action Service (EEAS) and the Member States to ensure that EU assistance programmes and other forms of bilateral cooperation, including financial assistance, must be linked to clear and tangible steps towards democratisation and openness, including comprehensive election reform and full respect for media freedom;
8. Calls on the EEAS and the Commission to continue their support for civil society organisations in Belarus and abroad; stresses, in this context, the need to support all independent sources of information for Belarusian society, including media broadcasting in the Belarusian language, and those abroad such as Charter 97 and Belsat TV;
9. Calls on the Vice President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy to closely monitor the situation of media freedom in Belarus, in cooperation with the Standing United Nations Rapporteur for Belarus;
10. Urges the Belarusian authorities to allow full and unhindered functioning of political and public organisations and to repeal Article 193/1 of the Criminal Code curtailing the freedoms of peaceful assembly and association;
11. Calls strongly for the unconditional and immediate release of political prisoners Mikhail Zhamchuzhny and Dzmitry Paliyenka, and for all former political prisoners to be fully rehabilitated; calls on the authorities to allow all independent trade unions to play their legitimate and central role in civil society without hindrance; regrets the conviction on 24 August 2018 of Henadz Fiadynich and Ihar Komlik, activists of the independent trade union REP, to four years of restricted freedom;
12. Commends the work carried out by the current UN Special Rapporteur on the situation of human rights in Belarus, Miklós Haraszti, and draws the attention of his successor, Anaïs Marin, to the manifold abuses of power, curtailment of individual and collective freedoms and repression of civil society, independent trade unions and media, as clearly identified in Mr Haraszti's reports;
13. Calls, in this regard, for the Belarusian authorities to recognise the mandate of the UN Special Rapporteur on the situation of human rights in Belarus without delay, and for the Commission, the European Investment Bank and the European Bank for Reconstruction and Development to make the provision of any further financial or technical assistance to Belarus conditional on the circumstances set out above, while

preserving the EU's ability to directly fund Belarusian civil society;

14. Remains concerned about the construction of a nuclear power plant in Ostrovets; notes the report on stress tests and recommendations published on 3 July 2018 and demands that stress test recommendations be implemented as a condition for any further advancement in EU-Belarus cooperation, in particular for the signing of the EU-Belarus Partnership Priorities;
15. Instructs its President to forward this resolution to the Council, the Commission, the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy, the governments and parliaments of the Member States and the President and Government of Belarus.