



EUROPEAN PARLIAMENT

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Plenary sitting

8.3.2011

B7-0184/2011

MOTION FOR A RESOLUTION

with request for inclusion in the agenda for the debate on cases of breaches of human rights, democracy and the rule of law

pursuant to Rule 122 of the Rules of Procedure

on Belarus (in particular the cases of Ales Mikhalevic and Natalia Radina)

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on behalf of the S&D Group

European Parliament resolution on Belarus (in particular the cases of Ales Mikhalevic and Natalia Radina)

The European Parliament,

- having regard to the absolute prohibition of torture and other cruel, inhuman or degrading treatment or punishment, a prohibition which applies in all circumstances and, as a peremptory norm in international law, to all states,
 - having regard to the articulation of this prohibition in a number of international and regional human rights instruments and documents, including the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights (ICCPR) and the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Convention against Torture) and the fact that Belarus has signed and ratified both conventions,
 - having regard to the UN Standard Minimal Rules for the Treatment of Prisoners,
 - having regard to the Guidelines to EU policy towards third countries on torture and other cruel, inhuman or degrading treatment or punishment, adopted in 2001 and reviewed in 2008,
 - having regard to its previous resolutions on Belarus, in particular the resolutions of 20 January 2011, 17 December 2009 and 22 May 2008,
 - having regard to the statement made by the EU High Representative Catherine Ashton on 18 February 2011 in Brussels on the conviction and sentencing of Belarusian opposition representatives,
 - having regard to the Council conclusions on Belarus, adopted at the 3065th Foreign Affairs Council meeting in Brussels on 31 January 2011,
 - having regard to the Amnesty International, Report: "Security, Peace and Order? Violations in the wake of elections in Belarus", 2 February 2011,
 - having regard to Rule 122(5) of its Rules of Procedure,
- A. whereas a large number of opposition figures, including former presidential candidates, journalists and human rights defenders were arrested after the events of 19 December 2010 in Minsk and have been kept imprisoned since then in the KGB detention centre, whereas more than 40 people have been charged and may face lengthy prison terms,
- B. whereas on 2 March 2011 the Belarusian court sentenced Alyaksand Malchanau to 3 years' imprisonment, Dzmitry Novik to 3.5 years' imprisonment and Alyaksandr Atroshchankau (spokesman of the former presidential candidate Andrei Sannikau) to 4

years' imprisonment on the grounds of taking part in the post-election protests and rioting,

- C. whereas Ales Mikhalevich, a former presidential candidate imprisoned in the aftermath of the post-election protests, was only released on 26 February 2011 after signing a commitment to collaborate with the Belarusian KGB that he has subsequently publicly retracted,
 - D. whereas on 28 February 2011 Ales Mikhalevic issued a statement giving an account of the mental and physical torture to which the political prisoners were subject in order to coerce them into confessing and accepting evidence of their guilt,
 - E. whereas Natalia Radina, the editor of the opposition Charter 97 website, was also arrested in December 2010 and charged with organising and participating in the mass unrest that followed the presidential elections, whereas Radina was released from the KGB pre-trial centre and prevented from leaving her home town until the investigation in her case is completed,
 - F. whereas, after her release, Radina declared that KGB officers had subjected her to psychological pressure and attempted to recruit her as a KGB informant during her detention, whereas her statement corroborates the reports of torture on political prisoners in the KGB detention centre in Minsk,
 - G. whereas the State Security Committee of Belarus has denied any use of torture against prisoners in the KGB detention centre,
1. Condemns the lack of respect for the fundamental rights of freedom of assembly and of expression by Belarusian authorities and calls for the immediate and unconditional release of all detained protestors and for all charges against them to be dropped;
 2. Condemns in the strongest terms the use of torture against prisoners as a form of inhuman treatment that is unequivocally forbidden in international law and is absolutely unacceptable in a European country and one of the closest neighbours of the EU;
 3. Condemns the severe recent sentences passed on young opposition activists on the sole grounds of participating in the 19 December 2010 demonstrations as a flagrant serious breach of their political and civil rights and a flagrant violation of international conventions to which Belarus is a party;
 4. Denounces the climate of fear and intimidation towards political opponents in Belarus and the ongoing persecution of opposition figures since the presidential elections of December 2010;
 5. Urges Belarus to respect the rule of law, international conventions and national laws guaranteeing adequate treatment of prisoners and their unhindered access to legal counsel and to bring to end the ongoing harassment of political opponents, human rights activists and independent media;
 6. Urges the Belarusian authorities to carry out a thorough and impartial investigation into allegations of torture of political prisoners and to identify and prosecute the individuals involved in such practices;

7. Reiterates that without immediate steps towards democratisation and upholding human rights by the government of Belarus the process of engagement between European Union and Belarus will be put seriously at risk, including also Belarus' participation in the Eastern Partnership;
8. Underlines that, despite the political consequences for EU-Belarus relations of the post-electoral clampdown on the opposition, the EU needs to intensify its assistance to the Belarusian civil society, including visa facilitation;
9. Instructs its President to forward this resolution to the Council, the Commission, the parliaments and governments of the Member States, the Parliamentary Assemblies of the OSCE and the Council of Europe, the Secretariat of the Commonwealth of Independent States and the Parliament and Government of Belarus.