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13.9.2011

B7-0496/2011

## **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: the arrest of human rights defender, Ales Bialatski

**Elisabeth Schroedter, Werner Schulz, Raül Romeva i Rueda, Raül Romeva i Rueda**

on behalf of the Verts/ALE Group

**Marie-Christine Vergiat**

**European Parliament resolution on Belarus: the arrest of human rights defender, Ales Bialatski**

*The European Parliament,*

- having regard to its previous resolutions on Belarus, in particular those of 12 May 2011, 10 March 2011 and 20 January 2011,
- having regard to Council conclusions on Belarus adopted during 3101st Foreign Affairs Council meeting on 20 June 2011,
- having regard to the Universal Declaration of Human rights of 1948 and United Nations Declaration on Human Rights Defenders of December 1988,
- having regard to the statement issued by the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy, Catherine Ashton, on 5 August 2011 on the arrest of Mr Ales Bialatski in Belarus,
- having regard to Rule 122(5) of its Rules of Procedure,
  - A. whereas human rights defender and the Chairman of the Human Rights Centre "Viasna" Mr Ales Bialatski was arrested in Minsk on 4 August 2011 on the formal charge of large-scale tax evasion brought against him on August 12; whereas Mr Bialatski faces either a penalty of "restricted freedom" term of up to five years or a prison term of three to seven years under Part II of the Article 243 of the Belarusian Criminal Code,
  - B. whereas Mr Bialatski's private properties and "Viasna" office in Minsk were raided by officers of the Committee of State Security (KGB) and the Financial Investigations Department of the State Control Committee and the materials were confiscated;
  - C. whereas a district judge in Minsk on August 16 rejected a request from Ales Bialatski's lawyer for releasing the human rights defender on his own recognizance and the period of Mr Bialatski's pre-trial detention was extended to two months earlier that week,
  - D. whereas the Belarusian authorities took advantage of international cooperation, notably of the financial information on bank accounts provided by the Polish and Lithuanian authorities, using the system of international procedures and agreements on financial transfers - meant to track terrorists and criminals - in order to take full control of the non-governmental civil society organizations and Belarusian democratic opposition as well as to discredit the EU assistance to Belarus civil society,
  - E. whereas the Belarusian authorities have systematically refused to register on a national level almost all human rights organizations in the country ("Viasna" was denied registration three times over the past years), and as a result and due to the fact that foreign aid to the nongovernmental organizations in Belarus is subject of permission

of the Belarusian authorities, the human rights defenders, in order to effectively provide help to the representatives of the independent civil society, are forced to open accounts in the neighbouring countries,

- F. whereas there are recently reported persecutions of human rights defenders and activists campaigning for the release of Mr Bialatski, such as, arrests, detentions, interrogations, imposition of fines or confiscation of printed materials,
- G. whereas Mr Bialatski's case is a part of the broader pattern of the ongoing and longstanding harassment of civil society and human rights defenders following the presidential elections in December 2010 and leading to a dramatic decline in human rights and civil and political liberties in Belarus,
1. Expresses its deep concern over the increasingly deteriorating situation of human rights defenders in Belarus and calls for the immediate and unconditional release of Mr Bialatski and for all charges against him to be dropped;
  2. Deplores that the Belarusian authorities continuously refuse to grant legal status to independent human rights organisations in the country making it impossible for them to operate, by introducing repressive laws aiming to silence civil society activities, and then use the threat of criminal sanctions to intimidate human rights defenders;
  3. Urges the Belarusian authorities to halt all forms of harassment against Mr Bialatski, "Viasna" and its staff as well as other human rights defenders and civil society organizations in the country;
  4. Regrets the irresponsible action of the Polish and Lithuanian financial authorities; considers that the Belarusian law as well as the international mechanisms have been intentionally misused and treated instrumentally by the Belarusian authorities; welcomes, in this respect, the decision of Poland's Prosecutor General Andrzej Seremet that on September 1 issued a directive providing for annulling the agreement with Belarus on a simplified procedure for mutual legal assistance in criminal matters, which was signed in 2002;
  5. Calls on the Belarusian authorities to ensure in all circumstances the respect for democratic principles, human rights and fundamental freedoms in accordance with the Universal Declaration of Human Rights and with international and regional human rights instruments ratified by Belarus,
  6. Urges the Belarusian authorities to reform the law and to bring Belarusian legislation, in particular on freedom of association and freedom of expression, in conformity with international standards and, meanwhile, to refrain from its further misuse,
  7. Emphasises that, in the light of the continuous, unprecedented repression of the opposition and civil society in Belarus, the EU needs to support democracy building in Belarus and to find new ways to assist Belarusian civil society in facilitating awareness-raising among the public;

8. Demands that the Belarusian authorities guarantee proper and medical assistance to all political prisoners and unconditionally and immediately release them clearing them of all the charges and fully rehabilitating their civil rights;
9. Calls on the EU Member States to discuss the situation in Belarus during the Eastern Partnership Summit in Warsaw on 28-29 September 2011 and stresses that potential EU engagement with Belarus should be subject to strict conditionality and contingent on a commitment by Belarus to respect human rights and the rule of law, as stated in the Joint Declaration of the Prague Eastern Partnership Summit of 7 May 2009, co-signed by the Belarusian Government;
10. Deplores the collaboration of the Bank of Scotland and some other European banks with the Lukashenko regime in capital-raising work in spite of EU sanctions; takes note of the decision of the board of this bank to finally end this activity and calls on all European banks and financial institutions to stop all forms of financial cooperation with the Belarusian authorities;
11. Instructs its President to forward this resolution to the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy, the Council, the Commission, the governments and the parliaments of the Member States, the Parliamentary Assemblies of the OSCE and the Council of Europe and the Government and Parliament of Belarus.