



3.7.2012

B7-0402/2012

MOTION FOR A RESOLUTION

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

pursuant to Rule 122 of the Rules of Procedure

on Freedom of expression in Belarus: in particular the case of Andrzej Poczobut
(2012/2702(RSP))

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on behalf of the ALDE Group

European Parliament resolution on Freedom of expression in Belarus: in particular the case of Andrzej Poczobut (2012/2702(RSP))

The European Parliament,

- having regard to its previous resolutions on Belarus, in particular those of 29 March 2012¹, 14 February 2012², 15 September 2011³, 12 May 2011⁴, 10 March 2011⁵, 20 January 2011⁶, 10 March 2010⁷ and 17 December 2009⁸,
- having regard to the 28 June 2012 statement by the spokesperson of the High Representative Catherine Ashton on the situation in Belarus,
- having regard to the 26 June 2012 written declaration of the Council of Europe Parliamentary Assembly on the case of Andrzej Poczobut,
- having regard to the 22 June 2012 press statement of OSCE representative on Freedom of the Media, Dunja Mijatovic on the arrest of Belarusian journalist Andrzej Poczobut,
- having regard to the 23 March 2012 conclusions of the European Council on Belarus expressing its deep concern over the further deterioration of the situation in Belarus,
- having regard to the joint statement made by the Ministers of Foreign Affairs of the Visegrad Group, Estonia, Latvia and Lithuania in Prague on 5 March 2012,
- having regard to Council Decision 2012/126/CFSP of 28 February 2012 implementing Decision 2010/639/CFSP concerning restrictive measures against Belarus⁹,
- having regard to Council of Europe Parliamentary Assembly resolution 1857 (2012) of 25 January 2012 on the situation in Belarus, which condemned continuous persecution of members of the opposition and the harassment of civil society activists, independent media and human rights defenders in Belarus,
- having regard to Council conclusions on Belarus adopted during 3101st Foreign Affairs Council meeting on 20 June 2011,
- having regard to the 10 April 2011 statement by the spokesperson of EU High Representative Catherine Ashton on the crackdown on independent media in Belarus
- having regard to Rule 122(5) of its Rules of Procedure,

¹ Texts adopted, P7_TA(2012)0112.

² Texts adopted, P7_TA(2012)0063.

³ Texts adopted, P7_TA(2012)0392.

⁴ Texts adopted, P7_TA(2011)0244.

⁵ Texts adopted, P7_TA(2011)0099.

⁶ Texts adopted, P7_TA(2011)0022.

⁷ OJ C 349E, 22.12.2010, p. 37.

⁸ OJ C 286 E, 22.10.2010, p. 16.

⁹ OJ L 55, 29.2.2012, p. 19.

- A. whereas Andrzej Poczobut a journalist for the Polish daily Gazeta Wyborcza and the leader of Union of Poles in Belarus, was arrested on 21 June 2012 in the town of Grodno,
 - B. whereas Andrzej Poczobut's apartment in Grodno was searched by the prosecutor's office,
 - C. whereas Andrzej Poczobut is reportedly facing a criminal charge for so-called libel against President Alyaksandr Lukashenka,
 - D. whereas Andrzej Poczobut on 2 July 2012 was released from custody and was placed under house arrest,
 - E. whereas 5 July 2011, the Leninski court of Grodna passed a verdict discharging Poczobut on part 1 article 368 of the Criminal Code for insult of the president, but found him guilty on part 1 article 367 of the Criminal Code for defamation of the president,
 - F. whereas Andrzej Poczobut has already spent three months in prison in 2011 and is under a 3-year suspended prison sentence imposed on him for the same charge of allegedly insulting the President in an article published in Gazeta Wyborcza and on a Belarusian website,
 - G. whereas the current arrest and detention of Andrzej Poczobut coincided with a peaceful protest in Grodna, organised by the Union of Poles of Belarus, at which number of people were detained,
 - H. whereas, following of arrest of Mr Poczobut in April 2011, Amnesty International recognized Poczobut as a prisoner of conscience,
 - I. whereas Mr Poczobut's case is a part of the broader pattern of the ongoing harassment of civil society, free media, minorities and human rights defenders,
1. Strongly condemns the recent arrest and allegations against Andrzej Poczobut; notes his release from custody and calls for the immediate and unconditional release from house arrest and acquittal from all the charges brought against him;
 2. Expresses its deep concern over the deplorable and unsustainable situation of the free media in Belarus, deteriorating situation of human rights defenders, and condemns all threats against journalists and individuals making use of their right to freedom of expression;
 3. Deplores harassment of national minority organisations in Belarus in general and is preoccupied by the growing trend of repressions against the Polish minority in particular;
 4. Considers that the case against Andrzej Poczobut is politically motivated and is intended to obstruct his legitimate work as a journalist, minority representative and human rights defender;

5. Deplores the intimidation and offence against free media in an attempt to force independent media to engage in self-censorship;
6. Condemns the Belarusian authorities for introducing repressive laws aiming to silence civil society activities, and then use the threat of criminal sanctions to intimidate human rights defenders and minority activists;
7. Considers that the Belarusian law as well as the international mechanisms have been intentionally misused and treated instrumentally by the Belarusian authorities;
8. Calls on the Belarusian authorities to comply with all the provisions of the United Nations Declaration on Human Rights Defenders;
9. 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;
10. 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, which included jailing political opponents and silencing journalists;
11. Underline that the freedom of media and freedom of expression are among the basic cornerstones of democracy, which the Belarusian authorities have committed themselves to respect;
12. Calls on the Council and the Commission to step up the engagement with the Belarusian civil society organisations and promote greater people-to-people contact;
13. 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 President, Government and Parliament of Belarus.