



EUROPEAN PARLIAMENT

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Plenary sitting

3.7.2012

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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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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 resolutions on the human rights situation in Belarus,
 - having regard to Rule 122 of its Rules of Procedure,
- A. Whereas Andrzej Poczobut, a Grodno-based correspondent for Polish *Gazeta Wyborcza*, was arrested on 21 June and charged under article 367-2 of the Criminal Code (‘libelling the President’) for his online articles on the death penalty verdicts against two men for the 2011 terrorist attack in the Minsk metro; **whereas after international protests he was released on 1 July**; whereas Andrzej Poczobut has already spent three months in prison in the past 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; whereas Andrzej Poczobut is recognised by Amnesty International as a prisoner of conscience
- B. Whereas the human and democratic rights situation in Belarus remains of serious concern; whereas repressive measures against members of the democratic opposition, independent media, civil society activists and human rights defenders continue;
- C. Whereas the situation of Ales Bialitski, the Chairman of the Human Rights Center Viasna, and the Vice-President of the International Federation for Human Rights (FIDH), who is currently serving a sentence in a penal colony in the city of Bobruisk, has again worsened in the recent days, through new unlawful restrictive measures regarding his conditions of detention and pressure by the penitential administration on other inmates to isolate him, with the clear intention to pressure him into recognising his guilt.
- D. Whereas the UN Human Rights Committee, having officially agreed to consider a complaint filed on behalf of Ales Bialitski concerning violations by the Republic of Belarus of the right of freedom of association, the right to a fair trial and the right to liberty and security of person, has on 19 June 2012 submitted it to the government, which has to issue the necessary information or its objections regarding the facts listed in the complaint within six months.
- E. Whereas the Belarus house of representatives law on amnesty adopted on June 27 in preparation of the 4 July amnesty enlists groups of people that cannot be released under amnesty – prisoners convicted under articles 293 (mass disorders), 342 (organizing and preparing the actions that violate public order or taking active part in such actions), 367 (defamation of the president), 369-3 (violating the rules of organizing or holding a mass event).
- F. Whereas since the beginning of March, 15 opposition politicians, independent journalists and human rights defenders have been denied their right to leave the country under

various pretexts, while the Belarussian authorities were reportedly considering drafting a list of 108 human rights and opposition activists, with a view to banning them from leaving the country. Whereas an addendum to the Law on Entry and Exit Procedures to and from the Republic of Belarus effective as of the end of May 2012 states that every person whose name is registered on the national criminal blacklist can have their right to leave Belarus temporarily restricted. Whereas it is feared that the Belarussian authorities' attempts to file criminal cases against opposition activists have become a pretext to legally ban them from leaving the country and interacting with United Nation and other mechanisms.

1. Welcomes the release of Andrzej Poczobut, but expresses concern at the repeated court cases against Andrzej Poczobut for 'libelling the President' and calls on the Belarussian authorities to clear Mr. Poczobut of the charges;
2. Urged the Belarussian authorities to stop harassment of independent media in Belarus and to ensure freedom of expression in the country;
3. Reiterates its strong criticism of the continuous persecution of journalists, human rights defenders and members of the democratic opposition and the harassment of civil society activists and the independent media in Belarus for political reasons; demands the immediate release of all individuals convicted for political reasons who are imprisoned or undergoing other forms of punishment, including Ales Bialiatski, Chair of the Human Rights Centre 'Viasna' and Vice-President of FIDH,
4. Reiterates its call on the Belarussian authorities to unconditionally and immediately release all political prisoners, including the two former presidential candidates Mikalai Statkevich and Andrei Sannikau as well as the heads of the presidential campaigns of democratic opposition candidates Pavel Seviarynets and Dzmitry Bandarenka;
5. Supports the call of Dunja Mijatović, the OSCE Representative on Freedom of the Media, on President Lukashenko to use the opportunity of the coming Independence Day of the Republic of Belarus to grant amnesty to all journalists who have been convicted for their professional activity, including Irina Khalip;
6. Reiterates its call on the Belarussian authorities to immediately introduce a moratorium on executions, with a view to the complete abolition of the death penalty, calls on the Belarussian authorities to resume the work of the parliamentary working group on the death penalty started in 2010; ;
7. Instructs its President to forward this resolution to the Council, the Commission, the governments and parliaments of the Member States, the Government and Parliament of the Republic of Belarus, the Council of Europe and the Organisation for Security and Cooperation in Europe.