



Plenary sitting

B9-0275/2022

13.5.2022

MOTION FOR A RESOLUTION

to wind up the debate on the statements by the Council and the Commission

pursuant to Rule 132(2) of the Rules of Procedure

on the prosecution of the opposition and the detention of trade union leaders in
Belarus

(2022/2664(RSP))

**Petras Auštrevičius, Lucia Ďuriš Nicholsonová, Nicola Beer, Olivier
Chastel, Vlad Gheorghe, Bernard Guetta, Karin Karlsbro, Georgios
Kyrtos, Nathalie Loiseau, Javier Nart, Urmas Paet, Dragoș Pîslaru,
Frédérique Ries, María Soraya Rodríguez Ramos, Michal Šimečka,
Nicolae Ștefănuță, Dragoș Tudorache, Hilde Vautmans**
on behalf of the Renew Group

**European Parliament resolution on the prosecution of the opposition and the detention of trade union leaders in Belarus
(2022/2664(RSP))**

The European Parliament,

- having regard to its previous resolutions on Belarus,
 - having regard to the European Council conclusions of 21-22 October 2021,
 - having regard to the recent statements by the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy on Belarus, notably those of 10 December 2021 and 28 February 2022,
 - having regard to the UN Human Rights Council report of 4 March 2022 on the situation of human rights in Belarus in the run-up to the 2020 presidential election and its aftermath,
 - having regard to the Universal Declaration of Human Rights and to all human rights conventions to which Belarus is a party,
 - having regard to the preamble of the International Labour Organization (ILO) about the need for recognition of the principle of freedom of association, to the ILO Convention on Freedom of Association and Protection of the Right to Organise, and to the ILO Convention on the Right to Organise and Collective Bargaining,
 - having regard to Articles 36 and 41 of the Constitution of the Republic of Belarus as regards freedom of association and the right to form trade unions,
 - having regard to Rule 132(2) of its Rules of Procedure,
- A. whereas the Lukashenka regime in Belarus is directly enabling the Russian military aggression against Ukraine, inter alia, by allowing Russia to attack Ukraine, including through the launch of ballistic missiles from Belarusian territory, enabling the stationing and transport of Russian military personnel, the storing and transport of military equipment and weapons, including heavy weapons, by allowing Russian military aircraft to fly over Belarusian airspace into Ukraine and by providing refuelling points;
- B. whereas since the start of war, many Belarusians have joined the anti-war movement, jeopardising the transit of Russian military equipment through Belarus and risking charges of high treason, espionage and terrorism if apprehended;
- C. whereas on 27 February 2022, Belarus staged a so-called referendum approving a new constitution that renounced the country's non-nuclear status, creating the circumstances for a possible deployment of Russian nuclear weapons in Belarus; whereas the referendum sparked anti-war protests in several cities, during which at least 290 people were detained; whereas the new constitution also grants lifetime immunity from prosecution to the president once he has left office;

- D. whereas the EU has adopted a variety of measures in 2022 in response to Belarus's involvement in Russia's unprovoked and unjustified military aggression against Ukraine, including individual and economic sanctions targeting 22 people, restrictions on trade, a ban from SWIFT for three Belarusian banks, a prohibition on transactions with the Central Bank of Belarus, limits on the financial inflows from Belarus to the EU and a prohibition on the provision of euro-denominated banknotes to Belarus;
- E. whereas on 2 December 2021, the EU adopted the fifth package of sanctions against Belarus over continued human rights abuses and the instrumentalisation of migrants;
- F. whereas on 21 March 2022, the Bruzgi logistics facility, which had operated near the border between Belarus and Poland and had provided temporary accommodation to over 1 500 stranded migrants since November 2021, stopped working, with no preliminary information or notification from the authorities and with around 400 people still at the logistics centre before it was shut down; whereas the majority of the stranded migrants are now residing in the forest areas of urban settlements and continue to approach the International Organization for Migration for further assistance and support; whereas the Polish authorities are warning that the number of migrants from Belarus is on the rise again as the weather improves; whereas 19 people are known to have died at the border since the start of the crisis;
- G. whereas on 28 April 2022, the Belarusian National Assembly approved an amendment to the Criminal Code, introducing the death penalty for 'attempted acts of terrorism', going against the global trend of abandoning the death penalty;
- H. whereas the Belarusian authorities have blocked several independent media outlets over war reporting, citing the spread of 'extremist materials' and 'false information'; whereas on 5 April 2022, Belarus's Prosecutor-General announced that Human Rights Watch's website had been blocked;
- I. whereas on 6 July 2021, presidential candidate Viktor Babaryka was sentenced to 14 years in prison and the head of his presidential campaign and laureate of the European Parliament's 2020 Sakharov Prize for Freedom of Thought, Maryia Kalesnikava, and her lawyer Maksim Znak were sentenced to 11 and 10 years in prison respectively;
- J. whereas on 14 December 2021, leading Belarusian opposition figures Siarhei Tsikhanouski and Mikola Statkevich, laureates of the European Parliament's 2020 Sakharov Prize for Freedom of Thought, and Ihar Losik, Artsyom Sakau, Uladzimir Tsyhanovich and Dzmitry Papou were sentenced to long prison terms on trumped-up charges of trying to seize power, inciting hatred and social unrest, and extremism; whereas Siarhei Tsikhanouski, who was arrested in May 2020 after announcing his intention to run for the presidency against Belarus's long-time dictator Aliaksandr Lukashenka and has remained in detention ever since, was sentenced to 18 years in prison; whereas Mikola Statkevich, a veteran politician who leads the unregistered political party Narodnaya Hramada and ran in the 2010 presidential election, was sentenced to 14 years in prison; whereas Ihar Losik, Artsyom Sakau, Uladzimir Tsyhanovich and Dzmitry Papou were handed down sentences of 15, 16, 15 and 16 years respectively on similar fabricated charges;
- K. whereas the most recent attack on the independent trade union movement took place on

19 April 2022; whereas searches were conducted in the office of the Belarusian Congress of Democratic Trade Unions (BKDP) and the offices of its affiliates the Belarusian Free Trade Union (SPB), the Free Trade Union of Metalworkers (SPM), and the Belarusian Radio and Electronic Industry Workers' Trade Union (REP) in Minsk and in the regions, as well as in the private homes of trade union leaders and activists;

- L. whereas the Belarusian authorities continuously prosecute citizens on political grounds, including for anti-war protests, and whereas peaceful protesters continue to be detained, and arbitrary detentions are imposed for displaying white-red-white symbols, including in private homes and territories; whereas as of May 2022, around 1 200 persons in Belarus are regarded as political prisoners, according to the human rights centre Viasna;
- M. whereas criminal prosecution is a severe form of repression and remains indiscriminate and widespread in Belarus; whereas the judiciary has become an effective instrument for the suppression of rights and freedoms in Belarus, with judges actively engaged in repression; whereas trumped-up evidence does not undergo objective critical evaluation, undemocratic legislation is blindly applied and defendants are selectively sentenced to the harshest possible punishment;
- N. whereas the examination by the Office of the UN High Commissioner for Human Rights (OHCHR) found that individuals were targeted and subjected to a consistent pattern of unnecessary or disproportionate use of force, arrests, detention – including incommunicado detention – torture or ill-treatment, rape and sexual and gender-based violence, and the systematic denial of due process and fair trial rights;
- O. whereas trade unions play a fundamental role in ensuring the proper functioning of democracy, the representation of citizens and workers, and the defence of their rights;
- P. whereas the persecution of independent trade unions and trade union leaders has recently been of a systemic nature, as Parliament also underlined in its resolution of 7 October 2021;
- Q. whereas at least 18 trade union leaders and representatives of Belarus's independent trade union movement were arrested on 19 April 2022 and charged under Article 342 of the Criminal Code related to the organisation and preparation of actions that grossly violate public order or active participation in such actions, thereby leading either to arrest, deprivation of liberty for two to five years or imprisonment of up to four years; whereas those arrested include Alexander Yaroshuk, President of the BKDP, who is also Vice-President of the International Trade Union Confederation and a member of the ILO Governing Body; Siarhei Antusevich, BKDP Vice-President; Oleg Podolinski, BKDP International Secretary, and Elena Yeskova, the Union's lawyer, and Mikola Sharakh, Chairperson of the SPB;
- R. whereas the independent trade union movement in Belarus has been under severe attack for many years and some unions have been recently named by the KGB as 'extremist groups', including the classification of the REP on 7 April 2022 as an extremist organisation;
- S. whereas the Belarusian authorities have revoked the legal status of the Belarusian Independent Trade Union (BITU, a member of the BKDP) organisations at the

Gardnoazot, Naftan and Mozyr oil refineries;

- T. whereas Belarus's independent trade union movement has been at the forefront of the fight for democracy and dialogue in Belarus for a long period of time;
- U. whereas Belarus started the commercial operation of the Belarusian nuclear power plant (NPP) in Astravyets without addressing all the safety recommendations contained in the 2018 EU stress test report; whereas the Belarusian side is not transparent and does not provide trustworthy information about events at the NPP site, reconfirming that the Belarusian NPP is unsafe and poses a serious nuclear safety threat to the people of Belarus, neighbouring countries and the whole of Europe;
1. Reaffirms its solidarity with the people of Belarus, who continue to stand up for a sovereign, free and democratic Belarus and demands the release of all political prisoners, an end to police violence and the organisation of new, free and fair elections; recalls that the European Union and its Member States did not recognise the results of the 2020 presidential election due to massive falsification and fabrication, and do not recognise Aliaksandr Lukashenka as the president of Belarus;
 2. Reiterates its call on the Belarusian regime to put an end to the confrontational spiral and to release all political prisoners immediately and unconditionally; notes that the release of all political prisoners and those unjustly detained and imprisoned would be the first sign of the Lukashenka regime's readiness to engage with the democratic Belarusian opposition and civil society;
 3. Reminds Belarus of its obligations under international human rights law and insists on the need to ensure fundamental freedoms and human rights, the rule of law and a functioning independent judiciary in Belarus;
 4. Deplores the fact that political trials are held behind closed doors and without due process of law, resulting in the harsh and unjustified sentences handed down to opposition leaders, in particular to Siarhei Tsikhanouski, Mikola Statkevich, Viktor Babaryka, Maryia Kalesnikava, Maksim Znak, Ihar Losik, Artsyom Sakau, Uladzimir Tsyhanovich and Dzmitry Papou; notes the inhumane conditions in Belarusian detention facilities, including physical and psychological abuse, and overcrowded and unhygienic cells;
 5. Calls on the Belarusian authorities to immediately and unconditionally release all trade union leaders and representatives who have been detained;
 6. Is appalled by the support provided for Russia's unprovoked war in Ukraine, including through the so-called referendum that reinstates the country's nuclear status, but also by allowing the movement of troops and weapons, the usage of the country's airspace, refuelling and the storage of military ammunition; notes Russia's increased role in Belarus, including its financial influence, which raises serious doubts about Belarus's ability to make sovereign decisions;
 7. Deplores the Lukashenka regime's instrumentalisation of migrants and its organisation of illegal migration, which has intensified again; expresses its regret that at least 19 migrants have lost their lives at the Polish-Belarusian border since the beginning of the crisis, while hundreds more are still trapped in between the two countries; calls on the

authorities of Poland, Latvia, Lithuania and other affected Member States to ensure that EU asylum and return law and international human rights law are respected; calls on the Commission, as the guardian of the Treaties, to ensure compliance with the relevant EU law;

8. Condemns the decision of the Belarusian regime to widen the scope of the use of the death penalty;
9. Condemns the recent arrest and detention of trade union leaders and representatives by the Belarusian authorities, as well as the attack it represents on both human rights and the fundamental rights enshrined in international conventions, including those of the ILO related to the right of workers to organise themselves and take part in public action;
10. Calls on the Belarusian authorities to provide clear information on the whereabouts and the health situation of the detainees arrested on political grounds, to release them immediately and to ensure their access to independent justice;
11. Reiterates that the right to demonstrate and strike is a fundamental right, and calls on Belarus to lift all restrictions in law and practice that impede these freedoms, and to re-establish immediately the legal status of the independent trade unions which have recently been deprived of such status in several companies, including in the Grodnoazot, Naftan and Mozyr oil refineries, and to withdraw the classification of the REP as an extremist organisation;
12. Calls on the Belarusian authorities to put an immediate end to the repeated discrimination against independent trade unions, as well as to repression, the campaign of intimidation, to administrative and criminal prosecution and to the confiscation of trade union activists' belongings;
13. Encourages trade unions across the Member States to further enhance contacts with their Belarusian counterparts, to exchange information on the development of the situation of trade union activists in Belarus and on the repression by the regime which they face, to facilitate cooperation and to provide them with material and psychological support;
14. Calls on the Commission and the European External Action Service to provide financial and material support to independent trade unions in Belarus and to their actions aimed at enhancing democracy and freedom of expression and association, as well as workers' representation;
15. Highlights that the actions of the Belarusian authorities against independent trade unions represent a violation of the country's national legislation and its international obligations; calls on the ILO to suspend the membership of the Belarusian pro-government trade unions, as they neither represent the independent voice of workers, nor protect their rights;
16. Calls for the EU and its Member States to support the democratic political opposition in Belarus by providing the help required to strengthen their capacities, to support educational activities for the Belarusian people about democratic political representation and political processes, including through providing continuous assistance to the European Humanities University, as an education base for Belarusian students in exile, and to continuously support the Belarusian independent media, in the Belarusian and

Russian languages;

17. Reiterates the importance of the establishment of people's embassies of Belarus worldwide and urges the Commission and the Member States to provide further support to protect the rights and interests of Belarusian citizens abroad and the interests of a democratic Belarus, for example by exploring ways to fund the people's embassies of Belarus;
18. Regrets the fact that the Member States did not act in a unified coordinated way when recalling their diplomatic representations from Belarus;
19. Stresses the importance of addressing the nuclear safety threats posed by the Belarusian NPP in Astravyets; insists that Belarus engage on the issue of the nuclear safety of the Belarusian NPP in complete transparency and commit to the full implementation of the recommendations made in the European Nuclear Safety Regulators Group peer review of the plant; supports, until that is the case, the banning of imports of energy from the Belarusian NPP into the EU market and the reflection of this position in the EU's Carbon Border Adjustment Mechanism;
20. 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, the Council of Europe, the Organization for Security and Co-operation in Europe, the authorities of the Republic of Belarus, and the representatives of the Belarusian democratic opposition.