



Plenary sitting

**B9-0389/2020 }
B9-0390/2020 }
B9-0391/2020 }
B9-0392/2020 }
B9-0393/2020 } RC1**

25.11.2020

JOINT MOTION FOR A RESOLUTION

pursuant to Rules 144(5) and 132(4) of the Rules of Procedure

replacing the following motions:

B9-0389/2020 (Verts/ALE)

B9-0390/2020 (S&D)

B9-0391/2020 (ECR)

B9-0392/2020 (Renew)

B9-0393/2020 (PPE)

on the continuous violations of human rights in Belarus, in particular the murder of Raman Bandarenka
(2020/2882(RSP))

Michael Gahler, Miriam Lexmann, Željana Zovko, David McAllister, Isabel Wiseler-Lima, Sandra Kalniete, Andrzej Halicki, Andrius Kubilius, Jerzy Buzek, Loránt Vincze, Antonio López-Istúriz White, Tomáš Zdechovský, Elżbieta Katarzyna Łukacijewska, Inese Vaidere, Vangelis Meimarakis, Krzysztof Hetman, Romana Tomc, Magdalena Adamowicz, Ivan Štefanec, Maria Walsh, Adam Jarubas, Benoît Lutgen, Eva Maydell, Jiří Pospíšil, Stanislav Polčák, Stelios Kympouropoulos, David Lega,

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PE661.515v01-00 } RC1

**Michaela Šojdrová, Paulo Rangel, Vladimír Bilčík, Arba Kokalari,
Ioan-Rareş Bogdan**

on behalf of the PPE Group

Kati Piri, Robert Biedroń

on behalf of the S&D Group

**Petras Auštrevičius, Andrus Ansip, Izaskun Bilbao Barandica, Katalin
Cseh, Bernard Guetta, Svenja Hahn, Karin Karlsbro, Moritz Körner,
Javier Nart, María Soraya Rodríguez Ramos, Nicolae Ştefănuţă, Ramona
Strugariu, Hilde Vautmans**

on behalf of the Renew Group

Viola Von Cramon-Taubadel, Hannah Neumann

on behalf of the Verts/ALE Group

**Anna Fotyga, Raffaele Fitto, Charlie Weimers, Angel Dzhambazki, Jacek
Saryusz-Wolski, Assita Kanko, Adam Bielan, Elżbieta Kruk, Alexandr
Vondra, Veronika Vrecionová, Ruža Tomašić, Jan Zahradil, Eugen
Jurzyca, Joanna Kopcińska, Evžen Tošenovský, Witold Jan
Waszczykowski, Jadwiga Wiśniewska**

on behalf of the ECR Group

**Nikolaj Villumsen, Helmut Scholz, Martina Michels, Fabio Massimo
Castaldo, Cornelia Ernst, Silvia Modig**

European Parliament resolution on the continuous violations of human rights in Belarus, in particular the murder of Raman Bandarenka (2020/2882(RSP))

The European Parliament,

- having regard to its previous resolutions on Belarus, in particular those of 17 September 2020 on the situation in Belarus¹, of 4 October 2018 on the deterioration of media freedom in Belarus, notably the case of Charter 97², of 19 April 2018 on Belarus³, of 6 April 2017 on the situation in Belarus⁴, and of 24 November 2016 on the situation in Belarus⁵,
- having regard to its recommendation of 21 October 2020 to the Council, the Commission and the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy (VP/HR) on relations with Belarus⁶,
- having regard to the European Parliament’s Sakharov Prize for Freedom of Thought 2020, which was awarded to the democratic opposition in Belarus on 22 October 2020,
- having regard to the statement of the President of the European Parliament of 13 August 2020 and that of the leaders of the five political groups of 17 August 2020 on the situation in Belarus following the so-called presidential elections of 9 August 2020,
- having regard to the European Council conclusions of 1 October 2020 and of 16 October 2020, and to the Council conclusions on Belarus of 12 October 2020,
- having regard to the Council decision of 6 November 2020 to add 15 members of the Belarusian authorities, including Aliaksandr Lukashenka, to the list of sanctioned individuals, bringing the total number of Belarusians subject to a travel ban and asset freeze to 59; having regard to the Council decision of 17 February 2020 to prolong the 2004 EU embargo on arms and on equipment that could be used for internal repression regarding Belarus⁷,
- having regard to the main outcome of the extraordinary meeting of the Foreign Affairs Council of 14 August 2020 and the conclusions by the President of the European Council of 19 August 2020 on the situation in Belarus following the presidential elections of 9 August 2020,
- having regard to the numerous recent declarations and statements by the VP/HR on Belarus, notably those of 11 August 2020 and 17 August 2020, and to the previous statements by the spokesperson of the European External Action Service (EEAS), in

¹ Texts adopted, P9_TA(2020)0231.

² OJ C 11, 13.1.2020, p. 18.

³ OJ C 390, 18.11.2019, p. 100.

⁴ OJ C 298, 23.8.2018, p. 60.

⁵ OJ C 224, 27.6.2018, p. 135.

⁶ Texts adopted, P9_TA(2020)0280.

⁷ OJ L 45, 18.2.2020, p. 3.

particular that of 13 November 2020 on the death of Raman Bandarenka, as well as those on the application of the death penalty in Belarus,

- having regard to the statement by the VP/HR of 7 September 2020 on arbitrary and unexplained arrests and detentions on political grounds and to the declaration by the High Representative on behalf of the European Union of 11 September 2020 on the escalation of violence and intimidation against members of the Coordination Council; having regard to the Joint Statement by the EU Delegation to Belarus on behalf of the EU Member States represented in Minsk, the British Embassy, the Embassy of Switzerland and the Embassy of the United States of America of 17 November 2020 on the deteriorating human rights situation in Belarus,
 - having regard to the UN statements on the situation in Belarus, in particular those of the UN Special Rapporteurs on human rights of 13 August 2020 and 19 November 2020 and of the spokesperson for the UN High Commissioner for Human Rights of 21 August 2020, 11 September 2020 and 13 November 2020, and those made during the urgent debate on the situation of human rights at the 45th session of the Human Rights Council of 18 September 2020,
 - having regard to the Report of the UN Special Rapporteur on the situation of human rights in Belarus of 17 July 2020, and to the UN Human Rights Council resolution of 17 September 2020 on the situation of human rights in Belarus in the run-up to the 2020 presidential election and in its aftermath,
 - having regard to the OSCE Rapporteur’s Report under the Moscow Mechanism on Alleged Human Rights Violations related to the Presidential Elections of 9 August 2020 in Belarus of 5 November 2020,
 - having regard to the Universal Declaration of Human Rights and to all human rights conventions to which Belarus is a party,
 - having regard to Rules 144(5) and 132(4) of its Rules of Procedure,
- A. whereas unprecedented peaceful protests and strikes continue in Belarus more than 100 days after they began, demonstrating the level of discontent and mobilisation of Belarusian society against the massive falsification of election results and the human rights violations perpetrated by the country’s autocratic regime; whereas the continued protests peak during weekends in Marches of Unity, and the scale of the protests is unprecedented in the history of Belarus, with participants numbering in the hundreds of thousands;
- B. whereas the Belarusian authorities have reacted to the legitimate and peaceful protests with violence, repression, systematic intimidation, harassment, restrictions on fundamental freedoms, and inhumane treatment, including torture and sexual violence against people detained during protests, human rights defenders included; whereas human rights defenders have documented more than 500 cases of torture and ill-treatment, while several people are missing or have been found dead, including Alyaksandr Taraykouski, Konstantin Shishmakov, Artsyom Parukou, Alexander Vikhor

and Gennady Shutov; whereas Belarus is the only country in Europe that still carries out capital punishment;

- C. whereas more than 25 000 Belarusians are estimated to have been detained at some point for protesting against the regime, both before and after the elections of 9 August 2020, including elderly persons, women and children; whereas most recently, on both 8 and 15 November 2020, more than 1 000 people were detained during ongoing peaceful protests; whereas there are over 125 political prisoners in Belarus;
- D. whereas Raman Bandarenka, a 31-year-old art teacher, was brutally beaten on the evening of 11 November 2020 by a group of plain-clothed, masked men reportedly with close ties to the Lukashenka regime; whereas Mr Bandarenka continued to be beaten in detention and after two hours was taken to hospital with head injuries from which he died the next day; whereas the authorities are trying to deflect responsibility by alleging that Mr Bandarenka was beaten by ‘concerned citizens’ and prosecuting the two whistle-blowers: a doctor and a journalist;
- E. whereas the Belarusian authorities failed to take immediate measures required by law to investigate the crime and more than 1 100 people commemorating Mr Bandarenka’s death were detained across Belarus in the ensuing days; whereas Orthodox and Catholic Church representatives received notifications from the Investigation Committee of Belarus of a violation of the law due to their condemnation of the destruction of the memorial commemorating Raman Bandarenka by the security forces;
- F. whereas the Belarus Ministry of Interior Affairs released a statement on 12 October 2020 announcing its willingness to use live ammunition against protesters; whereas the authorities used stun grenades and pepper spray, fired rubber bullets directly at individuals and fired shots into the air at several protests; whereas there are constant transport and communication obstructions, in particular restrictions on access to the internet, as a way to prevent and disperse protests;
- G. whereas the Belarusian authorities are continuing their violent crackdown on independent Belarusian reporters and citizen journalists and engaging in deliberate attempts to hamper objective reporting; whereas on 15 November 2020 alone, 23 journalists reporting from the protests held in memory of Raman Bandarenka in different Belarusian cities were arrested; whereas foreign media and journalists are not allowed into Belarus;
- H. whereas Belarusian children are targets of repression, as their parents are being threatened with losing custody for taking part in protests;
- I. whereas the EU has imposed sanctions against 40 individuals responsible for violence, repression and the falsification of the election results in Belarus; whereas on 6 November 2020, the European Council decided to add 15 members of the Belarusian authorities, including Aliaksandr Lukashenka and his son, to the list of sanctioned individuals; whereas further sanctions on individuals and companies are being prepared; whereas the Astravyets nuclear power plant started producing electricity on 3 November 2020, raising new concerns about its safety;

- J. whereas the Belarusian authorities have so far failed to investigate reports of police brutality and impunity for human rights violations remains widespread; whereas the absence of the rule of law impedes victims' right to a fair trial;
1. Condemns in the strongest possible terms the murder of Raman Bandarenka, and expresses its condolences to his family and to all families who have lost loved ones as a result of the repression of Lukashenka's regime;
 2. Demands prompt, thorough, impartial and independent investigations into Raman Bandarenka's death and the protest-related deaths of Alyaksandr Taraykouski, Alexander Vikhor, Artsyom Parukou, Gennady Shutov and Konstantin Shishmakov;
 3. Reiterates its support for Belarusian protesters in their demands for freedom, democracy, dignity and the right to choose their own destiny; condemns the ongoing human rights violations, intimidation and disproportionate use of force towards peaceful protesters;
 4. Urges the Belarusian authorities to cease all forms of violence, ill-treatment, gender-based violence and torture against Belarusian citizens and detainees, to grant them access to medical and legal advice, and to release immediately and unconditionally all persons arbitrarily detained, including for participating in protests against the election results or against violence used by the authorities, or for expressing support for these protests;
 5. Firmly condemns any use of intimidation, harassment, arbitrary arrests and detentions, and mistreatment against citizens, and denounces human rights violations perpetrated by Belarusian state authorities or on their account; calls for an immediate halt to all forms of harassment of citizens, such as dismissal of employees or students for participating in strikes or protests, withdrawal of journalistic accreditation, punitive disruption of communal services such as water or heating, deprivation of child custodial rights, blocking of private bank accounts, and internet black-outs;
 6. Calls on all Belarusian law enforcement employees and all those acting on the account of the Belarusian authorities to immediately stop using violence against civilians and to refrain from carrying out criminal orders and instructions on the use of disproportionate force, violence, torture and ill-treatment against citizens; calls for the introduction of a specific definition of torture into Belarus's Criminal Code in line with international human rights standards, and for legislative changes to criminalise enforced disappearance;
 7. Denounces the authorities' total unwillingness to investigate cases of ill-treatment and torture by law enforcement officers while launching criminal investigations into peaceful citizens; underlines that this is testament to a deliberate and systematic policy of repression and impunity, further underlined by the fact that the police and special security forces involved continue to receive the highest honours for their participation in crimes against the people;
 8. Rejects the results of the so-called presidential elections of 9 August 2020 and expresses

its unequivocal support for the people of Belarus in their legitimate demands for an urgent end to authoritarian repression, for respect for fundamental freedoms and human rights, for democratic representation and political participation, and for new, free and fair elections in accordance with international standards and under the OSCE Office for Democratic Institutions and Human Rights (ODIHR) election observation;

9. Calls on all businesses operating in Belarus to exercise particular diligence and uphold their responsibility to respect human rights, in accordance with the UN Guiding Principles on Business and Human Rights;
10. Insists on the need to ensure citizens' rights to freedom of assembly, association, expression and opinion, as well as media freedom, and thus lift all restrictions in law and practice that impede these freedoms;
11. Reiterates the importance of establishing the rule of law in order to respect fundamental freedoms and human rights, as well as of a functioning independent judiciary in order to ensure the right to an attorney, a fair trial and legal recourse;
12. Strongly condemns the ongoing application of the death penalty and calls for its immediate and permanent abolition and, pending this, a moratorium on capital punishment and an effective right to appeal against death penalty sentences;
13. Calls for the EU to lend support to an international investigation of crimes perpetrated by the Lukashenka regime against the people of Belarus; believes that the investigation should be supported by the establishment of an evidence collection centre and an EU taskforce of international law experts to assist in future international investigations; calls on the Commission, the Member States and the EEAS to provide full support to the efforts of the UN Human Rights Council and the OSCE Moscow Mechanism, as well as human rights defenders and civil society, to ensure documentation and reporting of human rights violations and subsequent accountability and justice for victims;
14. Condemns the actions of the National Assembly of Belarus in stripping Belarusian citizens of their citizenship for political reasons;
15. Condemns the crackdown on women human rights defenders, in particular the arrests of Marfa Rabkova and Marina Kostylianchenko from the Viasna Human Rights Centre, and calls for an immediate end to gender-based harassment of women activists;
16. Believes that the conferral of the award of its Sakharov Prize for Freedom of Thought 2020 to the democratic opposition in Belarus can take place in the form of a remote ceremony for the time being, in the light of the pandemic; stresses, however, that a physical ceremony should be organised once the situation allows;
17. Highlights that actions taken so far by the EU and the Member States against the Lukashenka regime are insufficient and welcomes the Council's decision to work on a third package of sanctions aimed at firms and oligarchs with ties to the Lukashenka regime; calls for a credible enlargement of the EU sanctions list;

18. Supports the initiation of an immediate European Parliament fact-finding mission to Vilnius and Warsaw, as well as engagement with the opposition in Belarus in order to explore possible mediation and democracy-support activities; underlines the need for further mediation and democracy-support activities, such as a High-Level Mission to follow the fact-finding mission;
19. Calls for a complete freeze on all EU fund transfers, including loans from the European Investment Bank, European Bank for Reconstruction and Development and others, to the current Belarusian Government and state-controlled projects; calls on the EEAS to suspend negotiations on the EU-Belarus Partnership Priorities until free and fair presidential elections have taken place;
20. Calls for the EU and the Member States to increase assistance to Belarusian civil society and to increase EU engagement with and support for independent civil society organisations, human rights defenders and independent journalists, in particular those in detention, by monitoring their trials; asks the Commission to urgently set up a scholarship programme for students and scholars exmatriculated from Belarusian universities for their pro-democratic stance; asks the Commission to launch a targeted EU assistance programme to help victims of political repression and police violence;
21. Condemns the expulsion of European diplomats from Belarus and calls for the EU and the Member States to consider lowering their level of diplomatic engagement with the country;
22. Calls on the Member States and the Commission to implement the recommendations of the OSCE Moscow Mechanism rapporteur in relation to granting asylum in cases of persecution covered under the Geneva Refugee Convention; encourages Member States, in this context, to further facilitate the procedure for obtaining visas for those fleeing Belarus for political reasons and to extend to them and their families all the support and assistance necessary;
23. Condemns the suppression of the media and access to the internet, the spread of disinformation, and the beating, arrests and intimidation of journalists and bloggers; underscores the right of the people of Belarus to have unhindered access to information; calls for the EU to use its instruments to support outlets and journalists subjected to repression by the regime;
24. Insists that Belarusian workers should be able to exercise their right to strike peacefully without risk of dismissal, arrest or other reprisals;
25. Reiterates its call on the Council and Commission to establish comprehensive, effective and timely EU-wide restrictive measures, a so-called European Magnitsky Act, that would allow for the targeting of any individual, state and non-state actors, and other entities responsible for or involved in grave human rights violations, abuses and corruption, without any further delay;
26. 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 Organization for Security and Co-operation in Europe, and the authorities of the Republic of Belarus.