

Belarus, in particular the cases of Ales Michalevic and Natalia Radina

European Parliament resolution of 10 March 2011 on Belarus (in particular the cases of Ales Mikhalevic and Natalia Radina)

The European Parliament,

- having regard to its previous resolutions on Belarus, in particular those of 20 January 2011¹, 17 December 2009² and 22 May 2008³,
 - having regard to the statement made in Brussels on 18 February 2011 by the EU High Representative, Catherine Ashton, on the conviction and sentencing of a Belarusian opposition representative,
 - having regard to the Council conclusions on Belarus adopted at the 3065th Foreign Affairs Council meeting in Brussels on 31 January 2011,
 - having regard to Council Decision 2011/69/CFSP of 31 January 2011 amending Council Decision 2010/639/CFSP concerning restrictive measures against certain officials of Belarus,
 - having regard to the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Convention against Torture), to which Belarus is a state party,
 - having regard to the UN Standard Minimum Rules for the Treatment of Prisoners,
 - having regard to the Guidelines to EU policy towards third countries on torture and other cruel, inhuman or degrading treatment or punishment adopted in 2001 and reviewed in 2008,
 - having regard to Resolution 1790 (2011) of 27 January 2011 of the Parliamentary Assembly of the Council of Europe on the situation in Belarus in the aftermath of the presidential election,
 - having regard to the Amnesty International report of 2 February 2011 entitled ‘Security, Peace and Order? Violations in the wake of elections in Belarus’,
 - having regard to Rule 122(5) of its Rules of Procedure,
- A. whereas a large number of opposition figures, including former presidential candidates, journalists and human rights defenders, were arrested after the events of 19 December 2010 in Minsk and have remained imprisoned since then in the KGB detention centre; whereas acts of repression and politically motivated trials against opposition figures and human rights defenders continue to this day, with more than 40 persons now charged and facing

¹ Texts adopted, P7_TA(2011)0022.

² OJ C 286 E, 22.10.2010, p. 16.

³ OJ C 279 E, 19.11.2009, p. 113.

prison terms of up to 15 years,

- B. whereas the Minsk City Prosecutor's office has extended to five months the period of investigation of a so called 'mass riot' case connected to the events of 19 December 2010; whereas the trials of presidential candidates, opposition activists, human rights defenders and journalists instigated in connection with this case have been politically driven,
 - C. whereas Aliaksandr Atroshchankau, Aliaksandr Malchanau, Dzmitry Novik, Vasil Parfiankou, members of the electoral campaign teams of democratic opposition candidates Uladzimir Niakliayeu and Andrei Sannikau, were sentenced to three to four years' imprisonment in a high-security colony in connection with the demonstrations of 19 December 2010; whereas, as their lawyers have stated, the authorities failed to prove their guilt,
 - D. whereas their lawyers have been repeatedly denied meetings with them; whereas, as a result of threats from the KGB, the lawyers were forced to withdraw from their cases, and whereas the Justice Ministry subsequently revoked their licences,
 - E. whereas Ales Mikhalevic, a former presidential candidate imprisoned in the aftermath of the post-election protests, was only released on 26 February 2011 after signing a commitment to collaborate with the Belarusian KGB that he has since publicly renounced,
 - F. whereas on 28 February 2011 Ales Mikhalevic issued a statement giving an account of the mental and physical torture to which the political prisoners were subjected in order to coerce them to confess and accept evidence of their guilt,
 - G. whereas Natalia Radina, the editor of the opposition Charter 97 website, was also arrested in December 2010 and charged with organising and participating in mass unrest that followed the presidential elections; whereas Ms Radina was released from the KGB pre-trial detention centre and then forbidden to leave her home town until the investigation into her case is completed,
 - H. whereas after her release Natalia Radina declared that during her detention KGB officers had subjected her to psychological pressure and attempted to recruit her as a KGB informant; whereas her statement corroborates the reports of political prisoners brought tortured in the KGB detention centre in Minsk,
 - I. whereas the State Security Committee of Belarus has denied any use of torture against prisoners at the KGB detention centre,
- 1. Condemns the lack of respect shown for the fundamental rights of freedom of assembly and of expression by the Belarusian authorities and calls for the immediate and unconditional release of all of the protestors detained and for all politically motivated charges brought against them to be dropped;
 - 2. Condemns in the strongest terms the use of torture against prisoners as a form of inhuman treatment that is unequivocally forbidden in international law and is absolutely unacceptable in a European country that is one of the EU's closest neighbours;
 - 3. Condemns the severe sentences recently imposed on young opposition activists on the sole ground of having taken part in the 19 December 2010 demonstrations as a flagrant and

serious breach of their political and civil rights and a flagrant violation of international conventions to which Belarus is a party;

4. Denounces the climate of fear and intimidation faced by political opponents in Belarus; condemns the repression and harassment of civil-society activists and the free media which followed election day, including mass searches of private apartments and offices of media outlets and civil-society organisations, and expulsions from universities and work places; calls on the authorities to uphold freedom of expression and media pluralism in Belarus;
5. Urges Belarus to uphold the rule of law, international conventions and national laws guaranteeing adequate treatment of prisoners and their unhindered access to relatives, legal counsel and medical care, and to bring an end to the ongoing harassment of political opponents, human rights activists and independent media;
6. Condemns the decision taken by the Minsk City College of Lawyers to withdraw the licences of some of the lawyers of those accused in the criminal case brought on the charge of mass riot, including Aleh Ahiejev, Pavel Sapelko, Tatiana Ahijeva, Uladzimir Touscik and Tamata Harajeva, and calls on the Minsk City College of Lawyers to revoke that decision;
7. Condemns the dismissal of Alyaksandr Pylchanka, the Chairman of the Minsk City Bar Association, by the Justice Minister, for expressing his concern about the ministry's decision to revoke the licences of four lawyers involved in a so-called riot case as unfounded and as proof that there is a real threat to the independence of the judiciary and to the independence of every individual lawyer;
8. Urges the Belarusian authorities to carry out a thorough and impartial investigation into allegations of torture of political prisoners and to identify and prosecute individuals involved in such practices;
9. Calls on the Belarusian authorities to review the Law on Public Events and to bring it into line with the requirements of the International Covenant on Civil and Political Rights;
10. Calls on the Council, the Commission, the EU High Representative and other EU partner countries to consider extending the restrictive measures to cover prosecutors, judges and KGB representatives connected to human rights abuses in Belarus unless the repression in that country is immediately brought to an end and considerable progress is made on human rights and fundamental freedoms; considers that the Council should examine the possibility of introducing smart and targeted economic sanctions on Belarusian government-owned companies;
11. Welcomes the commitment made by nine more countries – namely Croatia, the Former Yugoslav Republic of Macedonia, Montenegro, Albania, Bosnia and Herzegovina, Serbia, Iceland, Liechtenstein and Norway – to apply restrictive measures against certain officials of Belarus;
12. Reiterates that, unless the Belarusian Government takes immediate steps towards democratisation and upholding human rights, the process of engagement between the European Union and Belarus will be put on hold, including Belarus's participation in the Eastern Partnership;

13. Stresses that, despite the political consequences for EU-Belarus relations of the post-electoral clampdown on the opposition, the EU needs to intensify its assistance to Belarusian civil society, including in the form of visa facilitation;
14. 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 parliaments and governments of the Member States, the Parliamentary Assemblies of the OSCE and the Council of Europe and the Parliament and Government of Belarus.