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STATEMENT

Belarus: Post-Election Crackdown on Media Continues

Two months after the presidential elections in Belarus, independent media outlets and human right defenders are still facing unprecedented levels of repression and harassment and the number of prosecutions are on the increase. ARTICLE 19 calls on the Belorussian Government to immediately release all journalists, opposition activists and human rights defenders prosecuted for taking part in post-election protests, including those currently under home arrest. In addition, we call on the Belarusian Government to cease all other forms of harassments of media workers and assure that freedom of expression becomes a reality for all in the country.

Since the post-election crackdown in December 2010, ARTICLE 19 has been closely monitoring the situation of independent media outlets, opposition activists and human rights defenders in Belarus. Our main concerns about the current situation include:

- **Continuous criminal prosecution of independent journalists**
Currently, there are 16 journalists and activists who are still being prosecuted for taking part in the post election demonstrations in December 2010. Among those are six members of the Belarusian Association of Journalists: Natalia Radina, Irina Khalip, Dmitri Bondarenko, Pavel Severinec, Sergey Voznyak and Aleksandr Feduta. Although Natalia Radina, Irina Khalip and Sergey Voznyak who were all released from detention on 28 January 2011. Irina Khalip remains under house arrest and Natalia Radina has been ordered not to travel outside the city in which she is registered as a resident. All three are also denied of all means of communication with the outside world by the national security agency. National security officers are permanently stationed in Khalip's apartment and control her compliance with the conditions of the house arrest. Khalip is not allowed to answer phone calls, to send and receive any correspondence and is prevented from talking to anybody apart from her family members. Three journalists are still held in detention. All those who have been prosecuted continue to face the possibility of 15 years of imprisonment if they're cases proceed to trial.
- **Violations of procedural rights of those prosecuted**
Those who are under investigation are facing serious violations of their procedural rights in the investigation process, as provided by the international standards and by the Belarusian criminal law, including the right to legal representation. For example, in case of Irina Khalip, three lawyers so far have signed a contract to represent her;

however all later resigned allegedly because of external pressures. Other imprisoned journalists have limited access to their lawyers, who only see their defendants - in the best case - only during some of the interrogations. For example, all requests made by the lawyer of Pavel Severinec to meet with his defendant were rejected until the end of January 2011. He was only able to meet his client during the interrogation. Similarly, journalist Aleksandr Feduta was also only able to meet his lawyer during the interrogations. All requests made by lawyers to meet with their clients separately were rejected by state prosecution.

- **Continuous threats and intimidations of independent media**

ARTICLE 19 is also concerned about threats and intimidations faced by independent media and activists on a continual basis. These include anonymous threats made in January to the chief editor, Nikolay Aleksandrov, of newspaper “Brest Courier” in which he was warned against publishing any further articles on presidential candidates or opposition representatives. Another case is the imprisonment of the correspondent of the Polish newspaper “Gazety Wyborczej” Andrzej Paczobut, who was accused of "taking part" in the unauthorized mass public action on 19 December, 2011 and sent to jail for fifteen days. Initially he was fined, but the state prosecution considered it as a very “light” punishment and appealed the initial court ruling, so the court conducted a repeated hearing and fine was replaced by fifteen days of imprisonment. On 10 February, 2011, an official warning from the prosecutor general was issued to Boris Gorki, journalist of “Radio Racyja” in relation to his work with foreign media without accreditation. Boris spent 14 days in prison for “taking part” in the unauthorised mass public action on 19 December, 2011.

- **Restrictive media legislation**

The media legislation of Belarus remains severely restrictive and the situation seems to be worsening. ARTICLE 19 is extremely concerned that in the aftermath of the December 2010 media crackdown, the Minister of Information, Aleh Pralaskouski, suggested further restrictive changes to the Media Law and proposed to introduce a compulsory state registration of all internet based media. Despite draconian internet regulations from 2010, internet remains a venue for free distribution of unbiased information in Belarus and subjecting it to further restriction would have dire consequences in the country.

ARTICLE 19 condemns the failure of the Belarusian Government to heed calls from international and regional bodies, such as the Organization for Security and Cooperation in Europe (OSCE), to respect and protection of human rights, including freedom of expression.

ARTICLE 19 calls on the Belarusian government to take immediate measures to:

- Immediately release all journalists and activists imprisoned after the events in the aftermath of the presidential elections on 19 December 2010 and remove house arrest and communication limitations imposed;
- Drop all charges brought against those prosecuted for exercising their right to freedom of expression and freedom of assembly during December 2010 protests;
- Take all measures necessary to protect individual journalists and media outlets against threats and intimidations;
- To start the reform of media legislation in line with international obligations of Belarus and involve the potential, expertise and recommendations of international organisations.

ARTICLE 19 also calls upon international bodies, especially the UN, the OSCE and the European mechanisms, to closely monitor the situation in Belarus and continue to create pressure on the Government to fulfil its international human rights obligations. International community should continue the efforts to protect the rights of the journalists and media in Belarus and tackle the issue with the Belorussian authorities.

FOR MORE INFORMATION:

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- ARTICLE 19 is an independent human rights organisation that works globally to protect and promote the right to freedom of expression. It takes its name from Article 19 of the Universal Declaration of Human Rights, which guarantees free speech. For more information on ARTICLE 19 please visit www.article19.org