



International Observation Mission
of the Committee on International Control
over the Situation with Human Rights in Belarus

Analytical review
**“The Situation with Human Rights Defenders,
Journalists and Lawyers in the Republic of Belarus
during the period from June 19 to August 19, 2011”**

I. Introduction

This document is an analysis of the situation and a systematic compilation of facts of interference in the work of human rights defenders, journalists and lawyers in the Republic of Belarus during the period from June 19 to August 19, 2011. This review was prepared by the International Observation Mission of the Committee on International Control over the Situation with Human Rights in Belarus. The review is a result of continuous monitoring of the situation and a continuation of the Mission’s analytical notes since the presidential elections on December 19, 2010, which were marked by a serious deterioration of human rights in the republic.

Like any other UN and OSCE member state, Belarus is obliged to respect and ensure the universally recognized human rights norms and standards, particularly those related to:

- human rights defenders, as a special group of social activists whose work is aimed at protecting the rights of other people;
- journalists, as their role in a democratic society is to communicate information and ideas on politics and other issues of public interest;
- lawyers, as those who guarantee everyone’s right to defense, especially in disputes with the state.

This analytical report reflects the pressures on these groups: human rights defenders and human rights organizations, journalists and media organizations, lawyers and legal associations. According to international experience, when there are massive violations of human rights, these groups are among the most vulnerable in a civil society, but at the same time they can prevent the situation from deteriorating. Moreover, as the Mission’s monitoring work shows, the above groups have been subject to considerable pressure and persecution after the presidential elections in Belarus. Analysis of such cases of pressure and persecution is contained in the analytical reviews of the Mission, covering the period from Dec. 19 Jun 19.

Based on these considerations, we would like to draw international attention to the situation of these three groups in Belarus.

This document takes into account the following international documents:

- UN Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms (“the UN Declaration on Human Rights Defenders”);
- European Union Guidelines on Human Rights Defenders – “Ensuring protection”;
- Document of the Moscow Meeting of the Conference on the Human Dimension in 1991;

- the Lisbon Summit Declaration of 1996;
- the OSCE Copenhagen Document of 1990;
- IBA Standards for the Independence of the Legal Profession, adopted at the IBA Conference in September 1990 in New York;
- Basic Principles on the Role of Lawyers adopted by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, 27 August to 7 September 1990, Havana, Cuba.

Data for analytical review has been gathered from public sources (primarily from the media), provided by our Belarusian partner organizations or collected by the Mission's representatives during the observation of events or interviews with event participants.

Note:

The Committee on International Control over the Situation with Human Rights in Belarus is a coalition of 50 non-governmental organizations and groups from OSCE member states, created as a response to the deteriorating situation of human rights and human rights defenders after December 19, 2010. The main goals of the Committee are continuous monitoring and international control over the situation with fundamental human rights, as well as situation with human rights defenders and human rights organizations in the Republic of Belarus and providing recommendations to the authorities of Belarus and international intergovernmental organizations in order to normalize the situation in the country and ensure that the Republic of Belarus conforms with its international obligations and internal standards.

The International Observation Mission was established by the Committee on International Control to monitor the overall situation with fundamental human rights in the Republic of Belarus and with the protection of human rights defenders to ensure that they can conduct professional activity.

II. Obstacles to the work of human rights organizations and initiatives

Termination or limitation of the activity of human rights defenders and organizations will create conditions for further government pressure on the activists, opposition politicians as well as other civil organizations and groups. Through monitoring, evidence collection and coverage of events from the perspective of human rights violations, they perform the control function and create a framework that allows to evaluate the actions of the authorities in terms of international human rights standards and obligations assumed by Belarus. Pressure on human rights defenders in Belarus prevents them from doing their work: documenting violations, assisting victims and promoting the enforcement of international obligations and agreements on human rights, which leads to further deterioration of the situation.

As a member state of the Organization for Security and Cooperation in Europe (OSCE), Belarus has undertaken certain obligations in the human dimension, including assistance to human rights defenders, in order to protect and promote human rights. As a member of the UN, Belarus must take into account the provisions of the UN Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms of 10 December 1998 ("UN Declaration of Human Rights Defenders").

2.1. Arrest and prosecution of Ales Bialatski

In terms of human rights defenders, the key event of the period was the arrest of **Ales Bialatski**, the leader of the Human Rights Center “Viasna”. One of the leading human rights defenders in Belarus was taken into custody for charges of large-scale tax evasion in connection with funds transferred to his bank accounts in Lithuania and Poland. In its previous analytical reports and statements, the International Observation Mission emphasized the vulnerability of the Belarusian civil society. The restrictions on the activity of public associations make them completely dependent on the government and their work illegal (the government-regulated registration system makes it virtually impossible to register any independent association, while unregistered ones face criminal liability; it is also prohibited to receive any foreign aid without permission of the state).

Details:

On August 4 the chairman of the Human Rights Center “Viasna” and vice-president of the International Federation for Human Rights **Ales Bialatski** was arrested and taken into custody. On the same day his house and the office of the Human Rights Center “Viasna” were searched.

On August 12 he was charged under Article 243, Part 2 of the Criminal Code of the Republic of Belarus: large-scale tax evasion. The same investigator decided to take measures of restraint in the form of detention for two months. **Ales Bialatski** was accused of concealing large sums of money that were transferred to his bank accounts in other countries and not paying his taxes in Belarus. The funds which the members of the Department of Financial Investigations regard as Ales’ personal income are actually the means to implement human rights projects in Belarus (e.g. public awareness campaigns, human rights monitoring, attorneys’ fees, fines for demonstration participants, etc.). The donor organizations that have supported “Viasna” have started to release statements that they have no complaints about how that money was spent.

At the end of June 2011 **Ales Bialatski** and **Valiantsin Stefanovich** (vice-chair of the Human Rights Center “Viasna”) were summoned to the regional tax authorities, where they were shown in-camera inspection acts and printouts from foreign bank accounts. Information on the accounts of human rights defenders has been disclosed by two states, Lithuania and Poland.

The Belarusian side requested this information in February 2011, at a time when the country saw common and gross violations of human rights (searches, arrests, etc.).

In March 2011 representatives of the Lithuanian Ministry of Justice disclosed information about the accounts of human rights defenders to the Belarusian side.

In June 2011 the Polish side also provided information on the accounts (6 or 17, according to various sources) of the Belarusian civil society representatives to the authorities of Belarus.

Consequently, other Belarusian human rights defenders – primarily the defenders from the “Viasna” Center – could also face charges. Upto the moment of this review, the Polish side refused to specify exactly what information and of whose account has been disclosed.

Human rights defenders in Belarus consider the accusation unfounded and link it to human rights activity of **Ales Bialatski** and the Human Rights Center “Viasna”. This accusation is a direct consequence of the restrictions imposed on public associations in Belarus. Such restrictions are contrary to international norms and standards regarding freedom of association. For instance, the Human Rights Center “Viasna” was closed in

2003 and despite the decision of the UN Committee on Human Rights, three attempts to register a human rights organization in Belarus have failed. In 2006, the government criminalized participation in unregistered organizations. In other words, it is forbidden to open an official bank account to finance human rights organizations and activities in Belarus.

According to the 2003 Presidential Decree No. 24 donations from foreign sources can be received only with the permission from the Department of Humanitarian Affairs of the Office of the President of the Republic of Belarus. The use of finances is not allowed without the department's permission. What is more, financing a number of common human rights activities (such as education, election monitoring, etc.) is generally forbidden. Such conditions and illegal restrictions make it impossible to have a bank account for financing human rights activities in Belarus.

Other pressures on the Human Rights Center "Viasna" include a warning from the General Prosecutor's Office, delivered on Feb 16th, 2010 at the address of **Ales Bialatski**. The warning was about inadmissibility of violation of the law, namely Article 193-1 of the Criminal Code of the Republic of Belarus, which prohibits participation in an unregistered public association. On June 20, 2011 the Minsk Central District Court found that warning lawful, and on August 11, 2011 the Minsk Municipal Court upheld that decision.¹

2.2. Warnings to the Belarusian Helsinki Committee

The Belarusian Helsinki Committee (BHC) – probably one of the last human rights organizations registered in Belarus – has also been in danger.

On January 12, 2011 the Ministry of Justice issued this year's first warning to BHC when human rights activists sent a communication² to the UN Special Rapporteur on the independence of judges and lawyers, detailing government pressure on lawyers who defend those accused and suspected of organizing and participating in the mass protests on December 19, 2010 as well as other facts of harassment and intimidation of lawyers in Belarus. The Ministry of Justice has requested to see the communication sent to the Special Rapporteur and concluded that "there has been a diffusion of false information that discredits law enforcement bodies and judicial institutions of the Republic of Belarus." In addition, the Ministry of Justice stated that BHC uses a distorted name (for example, BHC instead of National Human Rights Public Association "BHC"), which is against the law in the opinion of the Ministry. On March 12 the Supreme Court rejected the complaint filed by the National Human Rights Public Association "Belarusian Helsinki Committee" against the warning.³

On May 31, 2011 the Ministry of Justice issued this year's second written warning to the Belarusian Helsinki Committee. The grounds were "continuous violations of the tax law." As a result of the warning, BHC was ordered to pay over 205 million Belarusian rubles in taxes and penalties in connection with the support received under EU Commission Grants in 2002-2003, which are exempt from tax according to international treaties signed with the Republic of Belarus. Under international technical aid projects, the European Commission had supported more than 30 associations, but only two organizations were taxed, including the BHC.⁴

1 <http://belhelcom.org/ru/node/14370>

2 <http://belhelcom.org/ru/node/7053>

3 <http://belhelcom.org/ru/node/7037>

4 <http://belhelcom.org/ru/node/14174>

BHC appealed against the warning to the Supreme Court of the Republic of Belarus, but it rejected the organization's complaint on July 28, 2011.⁵

With two or more warnings, the Ministry of Justice can file a motion to a court to suspend or terminate the activities of a public association.⁶

On August 3, 2011 the Ministry of Justice of the Republic of Belarus demanded that the National Human Rights Public Association "Belarusian Helsinki Committee" provide a written explanation on the facts of defamatory information related to the address of Belarusian human rights organizations to the UN Special Rapporteur on the independence of judges and lawyers that was published on the organization's website. The statement indicated that the lawyers Anna Bakhtina and Daria Lipkina who did not pass the last extraordinary certification before the Certification Commission were or will be deprived of their licenses. The ministry also noted that not all organizations that signed the declaration are authorized to act on the territory of Belarus and not all are officially registered organizations.⁷

BHC was one of the signatories of the address to the UN Special Rapporteur, which was initiated by a number of human rights organizations, including those unregistered. The lawyers Anna Bakhtina and Daria Lipkina, whose names had been mentioned in the address, were re-certified on August 4. BHC reported that on their website the next day, apologizing "for publishing the official release of the educational institution Legal Transformation Center, containing inaccurate information, e.g. about the deprivation of the lawyers' licenses".⁸

On August 10, 2011 the Ministry of Justice announced on its official website that it has received an explanatory letter from the BHC, which said that the website readers and lawyers were apologized and the Special Rapporteur was sent an explanation. The Ministry ordered BHC to provide copies of the letter to the Special Rapporteur, drew attention to the fact that organizations need to comply with national law, and reserved the right to apply more stringent sanctions against the Committee.⁹

2.3. Detentions during the "silent rallies"

The last two months were also marked by the continuing "silent rallies." Organized through social media, the so-called "silent rallies" began in Belarus on June 8, 2011. Initially, the organizers urged the people who are unhappy with the current authorities to go to their city squares every Wednesday at 7 p.m. and just walk or stand without slogans or posters. After a week, the protests became widespread. The protesters in the streets were silent or clapped their hands. The authorities responded with mass arrests of protesters, more control over the Internet, and a longer list of features that make a rally illegal.

All of the above directly affected the work of human rights defenders. Among those detained during protests were **Ales Kaputsky**, a regional coordinator of the public campaign "Nuclear Power Plant Ostrovetskaya is a Crime" (Molodechno, June 15, 2011¹⁰), **Ilya Petrovec**, a representative of the Belarusian Helsinki Committee (Minsk,

⁵ <http://belhelcom.org/ru/node/14344>, <http://belhelcom.org/ru/node/14348>,
<http://spring96.org/ru/news/44862>

⁶ <http://belhelcom.org/ru/node/14353>

⁷ http://www.minjust.by/ru/site_menu/news?id=918

⁸ <http://belhelcom.org/ru/node/14362>

⁹ http://www.minjust.by/ru/site_menu/news?id=927

¹⁰ <http://spring96.org/ru/news/44441>

June 22, 2011¹¹), **Leonid Marhotka**, a representative of the Belarusian Helsinki Committee (Salihorsk, June 22, 2011¹²), **Vladimir Telepun**, a representative of the Human Rights Center “Viasna” (Mazyr, June 22, 2011¹³), **Alexey Lapitsky**, a representative of the Human Rights Center “Viasna” (Zhodina, June 29, 2011¹⁴), **Anatoliy Poplavnoi**, a representative of the Human Rights Center “Viasna” (Gomel, July 3, 2011¹⁵), **Boris Buhel**, a representative of the Human Rights Center “Viasna” (Mogilev, July 3, 2011¹⁶).

It cannot be argued that all detentions were related to human rights activities. However, based on the accounts of the activists and their organizations, in at least four cases people were detained while observing the protest, without directly participating in the events.

On June 22, 2011 an employee of the Belarusian Helsinki Committee and Youth Human Rights Movement correspondent **Ilya Petrovec** was detained at one of the massive “silent” protests in the center of Minsk. During the arrest he was beaten by special forces. In the District Department of Internal Affairs (ROVD) his request to call an ambulance was rejected. It took a few hours to explain – with the help of the Main Department of Internal Affairs (GUVD) spokesman Alexander Lastovsky – that Ilya is a BHC observer of mass events. He was released afterwards. After his release, he went to the hospital where he was diagnosed with a traumatic brain injury and a broken nose.¹⁷ None of the police officers responsible for his beating have been punished.

On the same day a representative of the BHC **Leonid Marhotka** and a representative of the Human Rights Center “Viasna” **Vladimir Telepun** were arrested in Salihorsk and Mazyr, respectively. The human rights activists went to their city squares, where the silent rallies were held, after they had received reports about the arrests of young people. Both were released after several hours without a record of detention¹⁸, and Telepun was released as one of the last.¹⁹

On July 3, 2011 a human rights activist and a representative of the Human Rights Center “Viasna” **Boris Buhel** was detained in Mogilev, when he was monitoring the rally at a distance of 50-70 meters and taking photos with his mobile phone. During the arrest his mobile phone was confiscated and the photos from the rally were deleted. The human rights activist was detained again on July 7, 2011, the day after yet another rally. He was held in temporary detention, and on July 8, 2011 he was sentenced to 7 days of arrest.^{20 21}

2.4. Return of the technical equipment confiscated during searches

On July 20, 2011 came the response to a complaint submitted by a human rights activist **Oleg Volchek**, the leader of the Human Rights Center “Legal Aid to the

11 <http://belhelcom.org/node/14333>
12 <http://belhelcom.org/node/14333>, <http://spring96.org/be/news/44162>
13 <http://spring96.org/ru/news/44441>
14 <http://spring96.org/ru/news/44441>
15 <http://spring96.org/ru/news/44441>
16 <http://spring96.org/ru/news/44441>, <http://charter97.eu/ru/news/2011/7/22/40863/>
17 <http://belhelcom.org/node/14333>
18 <http://belhelcom.org/node/14333>, <http://spring96.org/be/news/44162>
19 <http://spring96.org/ru/news/44441>
20 <http://charter97.eu/ru/news/2011/7/22/40863/>
21 <http://spring96.org/ru/news/44441>

Population.” Mr. Volchek complained that the computer seized by KGB back in winter was returned broken and some things were not returned at all. The KGB responded with a threat of criminal action for perjury.²²

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<http://www.belaruspartisan.org/bp-forte/?page=100&backPage=13&news=95026&newsPage>

III. Interference in the work of journalists and media

Journalism as a profession is considered dangerous for a reason. When covering mass events, journalists may be injured and their equipment damaged by both the authorities and event participants. State representatives are obliged to distinguish between members of any public gathering and journalists who cover the event as well as to provide the journalists with maximum access to information. The state must create proper conditions for the journalists so that they can work without legal or administrative restrictions.

What is more, freedom of assembly also involves unlimited coverage of demonstrations, as demonstrations and other public gatherings are a way to exercise freedom of expression. The responsibility of law enforcement bodies is to protect the rights of journalists to cover any event, regardless of its legal status, and to prevent violence in a peaceful way. The responsibility of journalists is to ensure that they can be easily identified and to cover events without spicing them up through provocations. They should also refrain from participating in the demonstrations.

The pressure on journalists and interference in their work is unacceptable and violates international treaties and national law of the Republic of Belarus. The Criminal Code imposes liability for interfering in the lawful professional activity of journalists (Article 198 of the Criminal Code of the Republic of Belarus).

3.1. The detentions of journalists, batteries and equipment damage

Illegal detentions, incidents of violence and damage to professional photographic and video equipment of journalists covering demonstrations have continued in the discussed period. The majority of such incidents occurred during the so-called “silent rallies” held in Minsk and other Belarusian cities every Wednesday since June 8, 2011 as well as on July 3, the Independence Day. On June 15 came the first reports of journalists detained in demonstrations, and since June 22, the number of detained journalists has steadily grown, despite many statements about the illegal character of such detentions. At least **86** journalists have been detained in this period during the “silent rallies”. In many cases, anonymous assailants in civilian clothing have detained the journalists and used force against them. According to many reports, the security forces intentionally isolated the journalists from rally participants in order to detain them first as well as damage their photographic and video equipment. A number of journalists were sentenced to administrative detention and/or fines along with rally members.

On June 22, 2011 the police seized **Sergei Balai**, a photographer of an online newspaper “Solidarity”, at the Liberty Square in Minsk. A photographer of the news agency “Interfax-West” **Ruslan Ryndevich** was detained near the October Square.²³ The cameramen **Pavel Podobed** (BelaPAN) and **Ales Borozenko** were also detained in that place. Near the Palace of the Republic, the security forces detained a correspondent of the Radio “Svoboda”, **Oleg Gruzdilovich**. The correspondent of “Nasha Niva” **Ales Pilecki**,²⁴ was detained on the Independence Avenue when he was taking pictures of the special forces. The photojournalist **Vladimir Grydin** was also

²³ <http://www.interfax.by/news/belarus/94441>

²⁴ <http://nn.by/index.php?c=ar&i=56200>

detained. All the journalists detained in Minsk were released the same evening without a record of their detention.²⁵

A photographer **Alexander Saenko** was detained in **Grodno**, in **Vitebsk** – **Sergey Serebro**, a photographer of the online newspaper “Narodnya Navina Vitebska”, in **Gomel** – a freelancer **Larisa Shirakova** and **Pavel Mickevich**, a correspondent of the newspaper “Komsomolskaya Pravda v Belorussii”, in **Molodechno** – **Evgeny Sukhoverkhov**, a correspondent of the BelaPAN agency, in **Zhodina** – a freelancer **Sergey Soloviev**.²⁶ It was also reported that a TV “Belsat” journalist **Sergei Karpenko** was detained and beaten in **Lida**.²⁷

In the evening of June 29, 2011 in **Minsk** and **Brest** the police detained 13 journalists of which three (including two foreign reporters) were beaten and at least three pieces of professional equipment were damaged.

During the detention, a photojournalist **Vladimir Grydin** was beaten and his camera filter was broken. A journalist **Ales Pilecki**, a correspondent of “Belgazeta” **Vadim Zamirovskiy**, a journalist **Alina Radachinskaya**, a BelaPAN correspondent **Vadim Shmygov**, a BelaPAN photojournalist **Xenia Avimova**, a photojournalist of the news agency “Interfax-West” **Pavel Potashnikov**, the correspondents of “Komsomolskaya Pravda v Belorussii” **Ekaterina Borisevich** and **Elena Tolkocheva** as well as a press photographer **Sergei Gapon** were also detained. A Latvian journalist **Ugis Lyabitis** was detained on Yanka Kupala Street. A BelaPAN cameraman **Vasily Semashko** suffered an eyebrow injury inflicted by the officers of the special forces. The camera of a press photographer **Natalia Ablazhey** was damaged. During the demonstrations, the camcorder of a Reuters cameraman **Vladimir Kostin** was broken.²⁸ Anonymous assailants in civilian clothing beat a Russian BBC reporter and a cameraman, **Oleg Boldyrev** and **Maxim Lomakin**, when they were filming. The latter suffered a concussion and was hospitalized.²⁹ A press photographer **Olga Kleschuk** from BelaPAN also suffered from the use of physical force by police officers.³⁰

A journalist **Ales Levchuk** and a BelaPAN press photographer **Milan Kharitonov** were detained in **Brest**.³¹ In **Borisov**, the police detained an ex-Press.by correspondent **Nikolay Vitorsky**.³²

On the Independence Day, July 3, 2011, at least **20** journalists and members of the Belarusian Association of Journalists (BAJ) were detained in various Belarusian cities. **Nine** of them were sentenced to administrative detention (mainly for alleged violation of Article 23.34 of the Code of Administrative Offences) from three to fifteen days.³³

A “Euroradio” reporter **Pavel Sverdlov**, a press photographer **Julia Doroshkevich** and a TV reporter **Ales Borozenko** as well as a journalist of “Belorusy i

²⁵ <http://spring96.org/be/news/44152>, <http://baj.by/m-p-viewpub-tid-1-pid-10879.html>

²⁶ <http://baj.by/m-p-viewpub-tid-1-pid-10889.html>, <http://www.imperiya.by/news.html?id=67210>, <http://pauliyuk.livejournal.com/868958.html>

²⁷ http://www.naviny.by/rubrics/society/2011/06/23/ic_news_116_370697/

²⁸ <http://www.interfax.by/news/belarus/94817?page=10>

²⁹ <http://belsat.eu/be/wiadomosci/a,3716,apieratar-bibisi-paslia-zbitstsia-mienskimi-amapautsami-trapiu-u-shpital.html>

³⁰ http://naviny.by/rubrics/society/2011/06/29/ic_articles_116_174202/

³¹ <http://baj.by/m-p-viewpub-tid-1-pid-10935.html>, <http://baj.by/m-p-viewpub-tid-1-pid-10943.html>

³² <http://www.ex-press.by/article.php?id=8674>

³³ <http://baj.by/m-p-viewpub-tid-1-pid-11029.html>, <http://baj.by/m-p-viewpub-tid-1-pid-11016.html>

rynok” **Igor Ilyash** were detained in **Minsk**. The officers also tried to detain a Polish press agency journalist **Agnieszka Lichnerowicz**, but she was “rescued” by other journalists. Deputy Head of the Main Department of Internal Affairs in Minsk **Igor Evseev** personally snatched a camcorder from the hands of **Galina Abakunchik**, a correspondent of Radio “Svoboda”, and ordered his subordinates to destroy the video. The officers smashed the camera lens belonging to a photojournalist, **Xenia Avimova**. During a demonstration crackdown, an anonymous assailant in civilian clothes sprayed gas in the face of a Reuters cameraman **Vladimir Kostin**.³⁴ A BAJ member **Valery Shchukin** was detained when he tried to pull his grandson out of a paddy wagon.³⁵

In **Grodno** several journalists and members of the Belarusian Association of Journalists were detained: **Alexander Denisov**, **Andrei Frolov**, **Nikolai Detchenya**, **Yuri Gumenyuk**, **Igor Bantser**, **Anna Naumovich** and **Grażyna Szalkewicz**. A BelaPAN correspondent **Elena Germanovich** and the administrator of an independent website “Silnye novosti” **Evgeny Suvorov** were detained in **Gomel**. Members of the BAJ **Ales Osiptsov** and **Anna Ilyina** were detained in **Mogilev**.³⁶

The court sentenced **Alina Skrabunova** (online photojournalist from **Mogilev**) to 15 days in jail, **Yuri Humeniuk** to 12 days in jail, **Igor Bantser**, **Alexander Denisov** and **Ales Osiptsov** to 10 days, **Anna Ilyina** to 6 days, **Valery Shchukin** to 5 days, **Andrey Frolov** and **Nikolai Detchenya** to 3 days. The closed trials of Grodno journalists were held at a temporary detention cell of the October district.³⁷ The attempts of Mogilev journalists to appeal their sentences were unsuccessful.³⁸

On July 6, 2011 28 media representatives (16 in Minsk, 2 in Grodno, 1 in Navapolatsk, 2 in Baranovichi, 1 in Mogilev, 4 in Babruysk, 1 in Molodechno 1 in Hlybokaye) including the whole camera crew of the NTV Group were detained in Minsk and other regions.^{39,40} Most of them were released the same day. Seven journalists, however, spent a night behind bars awaiting trial. These were **Sergei Kovalev** (Minsk), **Ales Osiptsov** (Mogilev), **Victor Masalovich**, **Victor Kachan**, **Sergey Latinsky** and **Alexander Sushevsky** (Babruysk), **Olga Rudnitskaya** (Molodechno). As usual, all the pictures were removed from the detainees’ cameras. Not all of them were arrested at the demonstrations. In **Grodno** a journalist was detained when she went shopping with a friend. During the arrest she suffered a spine injury and an ambulance took her away from the police station.⁴¹

Seven journalists detained at the demonstrations on that day were convicted: **Evgeny Shapchits** (an independent journalist, Minsk) to 12 days in jail, **Sergey Kovalev** (an independent cameraman, Minsk) to 10 days in jail, the other five received fines in the amount of 5 to 10 minimum monthly wages (175,000 to 350,000 rubles).⁴²

The complaint of the chief editor of “Bobruysky Kurier” **Anatoly Sanotenko** about the illegal actions of police officers during the detention of journalists **Victor**

34 <http://www.belaruspartisan.org/bp-forte/?page=100&backPage=13&news=92605&newsPage=0>

35 <http://baj.by/m-p-viewpub-tid-1-pid-11016.html>

36 <http://baj.by/m-p-viewpub-tid-1-pid-10967.html>, <http://baj.by/m-p-viewpub-tid-1-pid-10977.html>

37 <http://baj.by/m-p-viewpub-tid-1-pid-10983.html>, <http://baj.by/m-p-viewpub-tid-1-pid-10972.html>

38 <http://baj.by/m-p-viewpub-tid-1-pid-11145.html>

39 <http://baj.by/m-p-viewpub-tid-1-pid-11011.html>

40 <http://baj.by/m-p-viewpub-tid-1-pid-11008.html>

41 <http://baj.by/m-p-viewpub-tid-1-pid-11022.html>

42 <http://baj.by/m-p-viewpub-tid-1-pid-11016.html>

Kachan and Victor Masalovich was returned to him without review on July 26, 2011 by the Prosecutor of the Babruysk Leninsky district, **A.A. Karapetyan**.⁴³

On July 7, 2011 a correspondent of Radio Svoboda **Oleg Gruzdilovich** was detained in the Minsk Piershamaiski Court where he covered the trials of the “silent” protesters of July 6. Half an hour later **Gruzdilovich** was released with a warning that he must coordinate his work in the court with the Court Chairman.⁴⁴

On July 13, 2011 at least four journalists (excluding those they tried to detain but failed) were detained in Minsk and seven in the regions.⁴⁵

A BelaPAN correspondent **Zahar Shcherbakov** and a cameraman **Pavel Podobed** were detained near the metro station Frunzenskaya.⁴⁶ After 3 hours they were released. There were no records of detention, but the journalists were interrogated.⁴⁷

A correspondent of Radio Svoboda **Oleg Gruzdilovich** was detained near the subway train and taken to the Department of Internal Affairs of the Savetski District. The journalist’s fingerprints were taken and he was photographed. An hour later he was released.⁴⁸

A reporter of the online edition of Ezhednevnik **Maria Melekhina** was detained by men in civilian clothing when she was setting up her camera. The men asked her about “accreditation for pictures,” searched her, damaged the camera memory card and kept her in a paddy wagon for about an hour.⁴⁹

An attempt to arrest yet another BelaPAN correspondent, **Anton Taras**, was made at the Yakub Kolas Square. Two men in civilian clothing dragged him towards a van without any explanation, but after the journalist showed his press credentials, he was released and asked to sit on the bench “to stay away from the square center.”⁵⁰ Attempts were made to detain **Anton Motolko** (Internet portal TUT.by).⁵¹

Reporters who filmed the detention of protesters were dispersed by police officers in civilian clothes. The officers covered lenses of cameras and camcorders, grabbed the journalists’ hands, tripped them up and hit their legs. They also tried to take away the camera of a Reuters agency reporter. A German TV journalist asked **Alexander Lastovsky**, the spokesman of the Main Department of Internal Affairs of the Minsk City Executive Committee, who were the people in civilian clothes that attacked the journalists. Lastovsky said that he could not answer that question.⁵²

Pavel Mickevich, a journalist of “Komsomolskaya Pravda v Belorussii”, was detained in **Gomel**. When he took out his camera to shoot the detention of protesters, two officers of the special forces dragged him into a van to “check the pictures.” The journalist was released after the intervention of the press service director of the Department of Internal Affairs.⁵³

43 <http://baj.by/m-p-viewpub-tid-1-pid-11164.html>

44 <http://www.svaboda.org/content/article/24258037.html>

45 <http://baj.by/m-p-viewpub-tid-1-pid-11075.html>

46 <http://belapan.com/archive/2011/07/13/484498/>

47 http://naviny.by/rubrics/society/2011/07/13/ic_news_116_372236/

48 <http://www.svaboda.org/content/article/24264543.html>

49

http://www.ej.by/news/politics/2011/07/14/kak_beloruskie_spetssluzhby_medlenno_shodyat_s_uma.html

50 http://naviny.by/rubrics/society/2011/07/13/ic_news_116_372219/

51 <http://belapan.com/archive/2011/07/13/484498/>

52 <http://belapan.com/archive/2011/07/13/484498/>

53 <http://nn.by/?c=ar&i=57336>, <http://kp.by/online/news/933301/>

A television journalist and a member of the BAJ **Larissa Schiryakova** was also detained in **Gomel**. She was taken to a District Department of Internal Affairs where the police officers conducted a personal inspection, deleted the recorded video, and inquired her as to what she was doing in the area. The police kept her at the department for more than 3 hours and released her on that same evening. On July 14 the journalist filed a complaint with the Prosecutor General about her illegal detention on July 13 and June 15.⁵⁴

In **Slutsk** a journalist of “Info-Kurier” **Tatiana Guseva** was detained together with the participants of the “silent” demonstration. Head of the Law Enforcement Department of the Slutsk District Department of Internal Affairs **Dmitry Shklyarevskiy** told Guseva that she was detained “for her own safety as a journalist.” The journalist was released after she gave a written explanation about her stay in the central city square.⁵⁵

In **Navapolatsk**, a Ximik.info journalist **Alexander Muzhdabaev** was thrown into a car by policemen. He was brought to the duty room where his mobile phone was taken away. Later Muzhdabaev was released and he heard that that they will “sort it out later.”⁵⁶

An employee of the radio “Racya” **Alexey Trubkin** was also detained in **Navapolatsk**.⁵⁷ He spent the night at the police station and on July 14, 2011 he received a fine of 20 minimum monthly wages (700,000 Belarusian rubles).⁵⁸ The journalist was injured.

In **Babruysk**, the police without explanation detained a journalist of the Babruysk regional portal **Ales Suschevsky**. He was held in the minivan for about an hour and then released.⁵⁹

In **Brest**, the police officers ordered **Milana Kharitonova**, a press photographer of the “Brest Courier” and the BelaPAN agency, to delete pictures from the rally. Head of Law Enforcement and Prevention of the Department of Internal Affairs of the Brest Regional Executive Committee **Viktor Melnikov** threatened that he will give the videos from past demonstrations, in which the journalist runs ahead of the protesters and allegedly “leads the crowd”, to the editorial office for which Kharitonova works and to the Ministry of Information so that “appropriate measures can be taken”.

In **Hlybokaye**, a journalist **Dmitry Lupach** (from the “Prefekt-info” newspaper) was given a notice right on the square, according to which he was supposed to show before the Chief of Police **V.M. Kuchtsa**. They said it was related to his detention on last Wednesday.⁶⁰

On July 20, 2011 the spokesman of the Main Department of Internal Affairs in Minsk Alexander Lastovsky published “tips for journalists on how to stay safe during an unsanctioned demonstration” on his blog.⁶¹ In the evening before the demonstration he told the reporters that he “sincerely hoped” that the events of July 13 – when anonymous men in plain clothes interfered in the work of journalists, beat their legs and tried to damage their equipment – will not repeat that day. “If the journalist shows

54 http://naviny.by/rubrics/society/2011/07/13/ic_news_116_372237/

55 <http://baj.by/m-p-viewpub-tid-1-pid-11075.html>

56 <http://baj.by/m-p-viewpub-tid-1-pid-11075.html>

57 <http://new.racyja.com/news/u-navapolatsku-zatrymany-nash-supratsounik-abnaulyaetstsa>

58 <http://new.racyja.com/news/alyakseyya-trubkina-pakarali-shtrafam-u-700-tys-rubleu>

59 <http://www.svaboda.org/content/article/24264543.html>

60 <http://baj.by/m-p-viewpub-tid-1-pid-11075.html>, <http://baj.by/m-p-viewpub-tid-1-pid-11078.html>

61 <http://guvd-minsk.livejournal.com/63642.html>

appropriate credentials, no questions will be asked” – said the Head of the Press Service of the Main Department of Internal Affairs. When the reporters began interviewing the protesters, officers of the police information group shouted into a megaphone and urged the journalists to stop this, because “that place was not authorized for interviews.” The Deputy Head of the Main Department of Internal Affairs **Igor Evseev** approached the journalists and said that it was not allowed to take interviews. He told the journalists to “behave according to what was permitted, show their credentials and stop taking pictures like bandits”.⁶²

Despite all the assurances of the Main Department of Internal Affairs in Minsk that journalists will be left alone on that day, a journalist of TV Belsat **Alexandra Klimovich** was detained during a demonstration. On July 21, 2011 the Judge of the Minsk Central District Court, **Valery Esman** sentenced her to 11 days in jail.⁶³ TV Belsat officially protested against the arrest of their employee.⁶⁴ An employee of the Evroradio **Timofey Skibenko** was also detained. He was, however, soon released.⁶⁵

A correspondent of “Radio Ratsya” **Alisa Pol** was detained in **Brest**. The police officers took her to the Leninsky District Department of Internal Affairs in Brest “for identification purposes” (despite the fact that the reporter showed them her ID). She was released after about two hours.

A correspondent of the “Brestskaya Gazeta” **Stanislav Korshunov** was stopped by the police half an hour before a demonstration. The officers demanded that he show his assignment. When they saw that it was issued for July 13, he was ordered to return to the editorial office and make appropriate adjustments.⁶⁶

Also in **Brest** the police stopped an independent TV journalist **Andrey Lyubenchuk** when he was interviewing “The Revolution through Social Networks” group leader, **Sergei Alexievich**. The tape recording was taken away from Lyubenchuk and Alexievich was taken to a police department.⁶⁷

On the central square in **Borisov**, ex-Press.by reporters **Elena Avtushko**, **Alexander Zenkov** and **Nikolay Vitorsky** were detained and taken to a police station. Avtushko was released after her documents were checked. Zenkov and Vitorsky had to spend the night at the station.⁶⁸ On July 21, 2011 the Borisov District Court Judge **Lidia Molchanova** sentenced both journalists to five days of administrative detention.⁶⁹

“Novy Chas” newspaper correspondent **Tatiana Shaputko** was detained on August 2, 2011 during a picket in support of a political prisoner **Dmitry Dashkevich** at the walls of the Goretskaya Prison. The police said the journalist was involved in the demonstration.⁷⁰ She spent the night after her detention and the whole next day in **Dribin** (Mogilev district) awaiting trial. In the evening of August 3, 2011 Shaputko was sentenced to 10 days of administrative detention. At the hearings, the journalist said

62 <http://belapan.com/archive/2011/07/20/485883/>

63 <http://baj.by/m-p-viewpub-tid-1-pid-11123.html>

64 <http://baj.by/m-p-viewpub-tid-1-pid-11134.html>,

<http://belsat.eu/be/wiadomosci/a,3977,aliaksandry-klimovich-prysudzili-11-dzion-aryshtu.html>

65 http://naviny.by/rubrics/society/2011/07/20/ic_articles_116_174448/

66 <http://baj.by/m-p-viewpub-tid-1-pid-11123.html>

67 http://naviny.by/rubrics/society/2011/07/20/ic_news_116_372771/

68 <http://baj.by/m-p-viewpub-tid-1-pid-11123.html>

69 <http://ex-press.by/article.php?id=9922>

70 <http://baj.by/m-p-viewpub-tid-1-pid-11203.html>

that during the picket she performed her professional duties, but the video and audio tapes she presented did not affect the verdict.⁷¹

These cases of unlawful interference in the professional activities of journalists stimulated the community of journalists in Belarus to start a dialogue with the heads of the law enforcement bodies in order to prevent similar misconducts in the future.

On June 24, 2011 the Belarusian Association of Journalists (BAJ) sent a letter to the Minister of Internal Affairs Anatoly Kuleshov saying that his subordinates interfere in the professional activity of Belarusian journalists. In the letter, Head of the Belarusian Association of Journalists Zhanna Litvina demanded that Kuleshov and his department immediately conduct an official investigation into the massive violations of journalists' professional rights by police officers during the peaceful rally on June 22, 2011, bring the perpetrators to justice, apologize to the victims, and explain to their employees that during demonstrations the journalists carry out their professional duties, just like police officers do.⁷²

On July 5, 2011 BAJ sent another letter to the Minister of Internal Affairs Anatoly Kuleshov with a proposal to immediately convene a meeting between the ministry heads and the Belarusian Association of Journalists to discuss the detentions and harsh treatment of journalists by law enforcement officers.⁷³

On July 7, 2011 the correspondent of Evroradio **Pavel Sverdlov** visited a reception organized by the Minister of Information **Oleg Proleskovsky** and asked him whether the Ministry is going to stand up for journalists who are being regularly detained during the "silent" demonstrations. The Minister replied that he is not going to take any official action, but may discuss the situation with the Ministry of Internal Affairs.⁷⁴

On July 13, 2011 the journalists have submitted to the Prosecutor General of Belarus a collective request to investigate the detention of journalists during demonstrations. The journalists demanded that the Prosecutor General should investigate the cases of illegal detention, destruction of seized photographs and damage to professional equipment as well as prosecute those who interfere in the work of journalists. The request was signed by 30 people. A similar request was filed in the Ministry of Internal Affairs.⁷⁵

On July 15, 2011 the Prosecutor General of Belarus Grigory Vasilevich sent a letter to the Minister of Internal Affairs Anatoly Kuleshov in connection with the request submitted by journalists to the Prosecutor General on July 13 about the unjustified detentions of journalists covering public events, seizure of their photo and video materials and professional equipment. He ordered an investigation into the cases where journalists have faced administrative fines or arrests.⁷⁶

On July 20, 2011 the Prosecutor General of Belarus Grigory Vasilevich announced at a press conference that the rights of journalists should not be violated during street protests and that "police officers should be wearing uniforms. There may be exceptions depending on their tasks. They must warn those who are breaching the order. If they are not in uniforms, they must identify themselves so that you know who

⁷¹ <http://baj.by/m-p-viewpub-tid-1-pid-11219.html>

⁷² <http://baj.by/m-p-viewpub-tid-1-pid-10899.html>

⁷³ <http://baj.by/m-p-viewpub-tid-1-pid-11013.html>

⁷⁴ <http://baj.by/m-p-viewpub-tid-1-pid-11024.html>, <http://euroradio.fm/report/ministar-da-abedu-ministr-paslya-abedu>

⁷⁵ <http://baj.by/m-p-viewpub-tid-1-pid-11063.html>, <http://baj.by/m-p-viewpub-tid-1-pid-11071.html>, <http://www.belaruspartizan.org/bp-forte/?page=100&backPage=52&news=93903&newsPage=0>

⁷⁶ <http://www.interfax.by/news/belarus/95606>, <http://belapan.com/archive/2011/07/15/484967/>

makes the demands". At the same time Vasilevich warned the journalists: "when officers fulfill their responsibilities, you should not interfere. Keep in mind that different measures can be used."⁷⁷

The Prosecutor General reminded that on July 15 he sent a letter to Minister of Internal Affairs Anatoly Kuleshov with a request to respect the mass media law, and now, in his opinion, "if a journalist is present at a demonstration, the law enforcement officers should act more appropriately."⁷⁸ Vasilevich noted that measures may be taken against officers violating the law and disciplinary action may also follow. Unfortunately, the Prosecutor General did not answer the main question: who were the unknown men in civilian clothes detaining journalists and what organization they represented.⁷⁹

On July 21, 2011 Deputy Heads of the Belarusian Association of Journalists Andrei Bastunets and Alexander Starikovich attended a reception organized by the Deputy Minister of Internal Affairs and Head of Public Safety Police, Evgeny Poluden. The main topics of the 15-minute conversation were the problematic relationship between journalists and police officers and the activity of the police "information group". It was agreed to hold in late August/early September a joint meeting of the representatives of the Ministry of Internal Affairs and the journalistic community, in which BAJ would put forward their proposals regarding the relationship between journalists and police officers.⁸⁰

On August 1, 2011 it was announced that the Prosecutor General was reviewing the complaints of Evroradio correspondents, **Anastasia Mantsevich**, **Andrey Eliseev** and **Pavel Sverdlov** about the illegal detentions during the "silent rallies" in June and July. The journalists complained to the Prosecutor General, the Ministry of Internal Affairs and the Ministry of Foreign Affairs that issued the permission to open a news office of the radio station in Belarus. In late July, about a week after the complaint had been submitted, the journalists were summoned to the Prosecutor's Office where various investigators asked them to give details about the actions of unknown assailants. But for some inexplicable reason the investigators did not want to include in the case the photo and video materials suggested by the journalists.⁸¹

On August 3, 2011 six out of thirty journalists who signed the collective request to the Prosecutor General met with **Pavel Rodionov**, Head of the Department for Monitoring Legislative Execution and Legality of Legislative Acts of the Prosecutor General's Office. During the meeting the journalists learned that the Prosecutor's Office ordered to conduct explanatory proceedings with the Ministry of Internal Affairs officials, to comply with the administrative and execution procedure codes as well as to arrange "courses" for police officers to study legal standards. The Prosecutor's Office also raised the possibility of bringing disciplinary action against the perpetrators.⁸²

On August 3, 2011 BAJ received a response to its request from Acting Head of Information and Public Relations of the Ministry of Internal Affairs, **Victor Novikov**, in which he proposed "to develop a unified position on issues related to ensuring safety of journalists' professional activity during public events" in a workgroup meeting of representatives of the Ministry of Information, the Prosecutor General's Office, the

77 <http://nn.by/?c=ar&i=57670>

78 http://naviny.by/rubrics/society/2011/07/20/ic_media_video_116_5801/

79 <http://baj.by/m-p-viewpub-tid-1-pid-11122.html>

80 <http://baj.by/m-p-viewpub-tid-1-pid-11133.html>

81 <http://baj.by/m-p-viewpub-tid-1-pid-11195.html>

82 <http://baj.by/m-p-viewpub-tid-1-pid-11213.html>

Ministry of Internal Affairs of the Republic of Belarus as well as media and journalistic organizations.⁸³

3.2. Interrogations and searches

On the morning of July 13, 2011 a newspaper correspondent of “Belorusy i Rynok” **Igor Ilyashev** received a phone call from a man who introduced himself as a KGB officer and invited him to a meeting at 2 p.m. the same day. The journalist has demanded a formal notice and the man said that the document will be given at the entrance to the KGB office.⁸⁴

The journalist’s conversation with the KGB investigator lasted over an hour. A report of the conversation was drawn up. As they explained to Ilyashev, the questioning was part of the crime detection and investigation activities related to the “silent demonstrations”. The main topic of the discussion was the professional activity of the reporter and his coverage of the protest. At the end of the meeting, the KGB investigator asked the journalist whether he planned to attend a rally on that day. Ilyashev was not required to sign a confidentiality declaration, but the KGB strongly “advised” him not to reveal the details of the conversation.⁸⁵

3.3. Criminal prosecution of journalists

On June 14, 2011 began the trial of a correspondent of the Polish newspaper “Gazeta Wyborcza” in Grodno, **Andzhey Pochobut**, who was accused of libel (Part 1, Article 367 of the Criminal Code of the Republic of Belarus) and insulting the President of Belarus **Aleksandr Lukashenko** (Part 1, Article 368 of the Criminal Code of the Republic of Belarus). The trial, which was illegally declared closed, was accompanied by cases of violations against journalists who tried to cover it and to express support for their fellow-journalist.

On June 21, 2011 judicial enforcement officers visited Andzhey Pochobut’s apartment in **Grodno**. They wanted to prepare a report of the property in order to recover a fine from the journalist. However, according to his wife **Oksana Pochobut**, all the home appliances have already been listed by the KGB after criminal proceedings were instituted against Andzhey for the alleged insult and libel against the president.⁸⁶

On June 23, 2011 Consul General of Poland **Andrzej Chodkiewicz** attempted to enter the hearing of the Pochobut’s case, but the guards would not let him and said that the trial was closed. The Polish Consulate directed a letter to the Leninsky District Court of Grodno with a request to authorize the presence of their representatives at the trial, but the request was denied.⁸⁷

At the meeting of June 24, 2011 the prosecutor requested three years of imprisonment in a minimum-security correctional facility for the defendant. On that day the journalist **Igor Bantser** was detained near the courthouse while trying to see the accused.⁸⁸

On June 28, 2011 the lawyers gave their speeches in court.⁸⁹

83 <http://baj.by/m-p-viewpub-tid-1-pid-11214.html>

84 <http://baj.by/m-p-viewpub-tid-1-pid-11065.html>

85 <http://baj.by/m-p-viewpub-tid-1-pid-11069.html>

86 <http://www.svaboda.org/content/article/24241475.html>

87 <http://spring96.org/ru/news/44160>

88 <http://spring96.org/ru/news/44179>

89 <http://spring96.org/ru/news/44222>

Before the last hearing on July 5, 2011 the lawyer noticed signs of beatings on the journalist's face. In that hearing, the accused gave his last speech, which lasted less than a minute. The journalist said he acknowledges neither his guilt nor the court.⁹⁰

On the same day, three foreign news agency photographers **Vasily Fedosenko** (Reuters), **Sergei Grits** (Associated Press) and **Tatiana Zenkovich** (EPA), who were covering the trial, were assailed in the street near the court by a group of four unknown men in civilian clothes, aged 25-30 years. This happened when the accused was being brought to the court. The young people refused to say who they were. They pushed the journalists in silence, grabbed their cameras and twisted their hands. Grits's hand was bruised.⁹¹

On July 5, 2011 judge **Vitaly Letsko** declared Pochobut not guilty of "insulting the President" (due to lack of evidence) but found him guilty of libel and sentenced him to three years imprisonment with two years of suspended sentence. The journalist was released on his own recognizance. Andzhey Pochobut said he would appeal the verdict of the court.⁹²

In spite of the above, efforts were continued to release journalists and BAJ members from custody and to drop charges of organization and involvement in riots and organization of disorderly activities against: **Alexander Atroshenkov, Dmitry Bondarenko, Pavel Severinets, Irina Khalip Sergei Woznyak and Alexander Feduta.**

On July 15, 2011 the Minsk City Court dismissed an appeal against the sentence of a BAJ member, **Dmitry Bondarenko**. Lawyers have filed motions to include in the case the BAJ records and information from the prison hospital on the poor state of health of the accused. The documents were accepted, but the sentence was left unchanged. In late April, the court found Bondarenko guilty of activities that breach public order (Part 1, Article 342 of the Criminal Code of the Republic of Belarus) and sentenced him to two years imprisonment in a minimum-security correctional facility. During custody Bondarenko's chronic diseases exacerbated, including spinal herniation.⁹³

On July 19, 2011 Minsk City Court held the appeal trial of **Pavel Severinets and Irina Khalip**, originally scheduled for June 21.⁹⁴ On May 16, 2011 the Zavodsky District Court of Minsk found **Irina Khalip and Pavel Severinets** guilty of organizing activities that breach public order (Part 1, Article 342 of the Criminal Code of the Republic of Belarus) and sentenced Irina Khalip to two years imprisonment with two years of suspended sentence and Pavel Severinets to three years imprisonment in an open correctional facility.

The panel of judges **Stepurko, Komarovskaya and Vnukevich** took three hours to consider the appeal. The sentences were upheld. After the trial Khalip and Severinets told reporters that they are going to appeal to the Supreme Court and the UN Committee on Human Rights.⁹⁵

On June 21, 2011 the BAJ Board announced a statement as a response to the declaration of Alexander Lukashenka delivered during a press conference on June 17,

90 <http://charter97.eu/ru/news/2011/7/5/40240/>

91 <http://baj.by/m-p-viewpub-tid-1-pid-10987.html>, <http://charter97.eu/ru/news/2011/7/5/40242/>

92 <http://baj.by/m-p-viewpub-tid-1-pid-10990.html>, <http://charter97.eu/ru/news/2011/7/5/40247/>

93 <http://www.svaboda.org/content/article/24266431.html>

94 <http://baj.by/m-p-viewpub-tid-1-pid-10859.html>

95 <http://baj.by/m-p-viewpub-tid-1-pid-11096.html>

2011. Mr. Lukashenka said he was prepared to consider releasing the participants of the events of December 19, 2010 if the journalist community makes such a statement.

BAJ urged Alexander Lukashenka to free the journalists as well as all citizens of the Republic of Belarus who were prosecuted in connection with the events of December 19, 2010 and to stop the prosecution of **Andzhey Pochobut**, to withdraw the orders of closure of the newspapers “Narodnaya Volya” and “Nasha Niva” and to cancel the decision to stop broadcasting “Avtoradio”.⁹⁶

In a response to that statement, on July 18, 2011 **Zhanna Litvina**, Head of the Belarusian Association of Journalists, received a letter from the presidential administration signed by **S.I. Buko**, Head of the Department on Handling Public Appeals at the Presidential Administration. “The issues you raised are related to the legal field and should be settled in court. The sentenced persons have the right to appeal the legality and validity of the verdicts in higher courts,” reads the letter.⁹⁷

⁹⁶ <http://baj.by/m-p-viewpub-tid-1-pid-10882.html>

⁹⁷ <http://baj.by/m-p-viewpub-tid-1-pid-11101.html>

3.4 Preclusion for professional activities of the editorial offices of mass media and associations of journalists

During the monitoring period two separate cases of non-state print media – newspapers "**Nasha Niva**" and "**Narodna Volia**" – came to dénouement. For the reference, these two newspapers received at least two written warnings from the Ministry of Information during the year, which gave it the right to appeal to the court for the termination of their registration; the newspapers unsuccessfully tried to appeal the warning in court.

On June 20, 2011, First Deputy Minister of Information **Lilia Ananich** told reporters that relations between the Ministry and the newspaper "**Narodna Volia**" and "**Nasha Niva**" will be resolved in the courts. "As for the present moment, the process began, and each party has the right to express its opinion. And it's the rights of the court to make the final decision ", - said Ananich. The woman also said that letters from the readers requesting to withdraw claims for closure of the newspapers, which were sent to the Ministry of Information, "written as with carbon paper" and that "this method of pressure on the Ministry of Information is not going to work".⁹⁸

On July 9, 2011, when the process of liquidation of the newspaper "**Nasha Niva**" was about to begin, it was given a new warning. The reason for the warning was the absence of subscription index in the newspaper issue on June 1, 2011, what violates Article 22 of the Law on Mass Media.⁹⁹

On July 12, 2011 the Ministry of Information unexpectedly withdrew its request for closing "**Nasha Niva**". The comments on the website of the Information Ministry say that the claim was withdrawn "considering the appeal of the editorial offices and the possibility of amicable resolving of the situation, based on the principle of freedom of media". However, the Ministry insists that the claims to the editorial office are "justified" and calls on all media operating in the territory of Belarus, to follow the law, and the norms of professional ethics as well as generally accepted standards of morality. Journalists expressed a concern that the case may be revived any time.¹⁰⁰

On July 13, 2011 the Supreme Economic Court held the trial of the suit of the Ministry of Information for suspending the newspaper "**Narodna Volia**". Representatives of the Ministry of Information immediately made a motion to withdraw the claim. After a short break Judge **Yelena Majorova** reported that the request was satisfied and the case was closed. Human rights activists welcomed the decision of the Ministry of Information to withdraw the claim, but expressed the concern that "**Narodna Volia**" and "**Nasha Niva**" can be punished financially.¹⁰¹

And indeed, on July 31, 2011, the Economic Court of Minsk represented by the Judge Alexander Karamyshev tried the administrative case against "**Nasha Niva**" newspaper initiated by the Ministry of Information, and it was fined for 400 basic units (14,000,000 BYR).¹⁰²

On August 8, 2011 by decision of the Supreme Economic Court the newspaper "**Narodna Volia**" had got the fine of the same amount – 14,000,000 BYR. According to the attorney **Harry Pahaniajlo**, representing the interests of the newspaper in the court,

⁹⁸ http://naviny.by/rubrics/society/2011/06/20/ic_news_116_370417/

⁹⁹ <http://baj.by/m-p-viewpub-tid-1-pid-11044.html>

¹⁰⁰ <http://baj.by/m-p-viewpub-tid-1-pid-11059.html>

¹⁰¹ <http://www.svaboda.org/content/article/24264094.html>, <http://baj.by/m-p-viewpub-tid-1-pid-11072.html>

¹⁰² <http://baj.by/m-p-viewpub-tid-1-pid-11188.html>

"**Narodna Volia**" does not intend to appeal the decision, "If there was hope for a fair hearing, we would have filed a complaint in the Supreme Court."¹⁰³

Thus, instead of forced suspending by the court both newspapers were eventually fined for a large sum of money. If the Ministry of Information continues such a practice in relation to other independent media in the light of economic crisis and a sharp rise of prices for newsprint may lead to the situation when independent newspapers could be forced to shut down voluntarily due to financial losses.

In addition, there have been other cases of pressure on independent media and attempts to prevent the distribution of independent newspapers.

Since June 22, 2011 in Vitebsk 131 copies of "**Biblioteka "Nash Dom" - Info**", a newspaper registered in Russia, were seized from **Liubov Senchanko** and the police drew up the report under Art. 9.22 Part 2 of the Administrative Code. The protocol stated that she "disseminated the foreign edition "**Biblioteka "Nash Dom" - Info**" without the permission of the republican body of state administration in the area of mass media". Notably, there is an agreement on the free flow of media within the state union of the Russian Federation and the Republic of Belarus. Apart from that, according to the art. 9.22 of the Administrative Code **Senchanko** was accused of violating mass media legislation but the responsibility in this case can be held only by a legal person, i.e. the founder of the media, but not the distributor.¹⁰⁴

On June 24, 2011 the policemen came to the office of the radio "**Racija**"; they knocked the door for about 20 minutes and then left. The reporter **Sapezhinsky** who was in the office of the radio did not open the door to the police. **Sapezhinsky** connects the visit of law enforcement officers to the radio office to the keen interest to all and especially non-accredited media which cover the development of the situation in the country.¹⁰⁵

On July 11, 2011 in Novopolotsk the distributor of the newsletter "**Zdes i Sejchas**" **Nikolai Chertkov** was fined by the court for two basic units based on the art. 17.1 of the Administrative Code (disorderly conduct), supposedly for using obscene language in public. In addition, the activist is also accused of illegal distribution of media products (Article 22.9 of the Administrative Code). The case for this accusation was to be held on July 12, but the process was postponed to July 18 because of the absence of witnesses.¹⁰⁶

3.5. Obstacles in the work of international journalists and mass media teams

On June 27, 2011 **Nick Sturdee** and **Lucy Ash**, BBC correspondents, got to know that their visas to Belarus had been revoked. Journalists had open visas and accreditation under Republic of Belarus Ministry of Foreign Affairs and planned to visit the country during the Independence Day. But several days before the planned trip they received a telephone call from the Embassy of the Republic of Belarus in London – they were told that Ministry of Foreign Affairs made a decision to revoke their visas. Representatives of the Ministry of Foreign Affairs refused to give the information on the person in charge of revoking the British journalists' visas and his or her motives, it was

¹⁰³ http://www.naviny.by/rubrics/society/2011/08/08/ic_news_116_373999/

¹⁰⁴ <http://baj.by/m-p-viewpub-tid-1-pid-10898.html>

¹⁰⁵ <http://www.belaruspartisan.org/bp-forfe/?newsPage=0&backPage=13&page=100&news=91377&locale=ru>

¹⁰⁶ <http://spring96.org/ru/news/44500>

emphasized that the authorities do not have to explain their actions and justification for them. Journalists were advised not to apply for a visa in the near future.¹⁰⁷

It is reported that Nick Sturdee and Lucy Ash visited Belarus in 2008 during their journalistic story of the Independent Day in Minsk and all over the country. According to the journalists there were no claims on behalf of Belarus authorities. It is worthy of note that the day before Nick Sturdee rang up the Belarusian Presidential Executive Office on the accreditation for the official festivities in honour of July 3¹⁰⁸.

On June 29, 2011 **Dimiter Kenarov**, a freelance journalist, poet and translator from Bulgaria, was detained by the police in **Mozyr**. During several days the human rights defenders had no information about his location and status¹⁰⁹. July 4, 2011 – Kenarov was set free from the temporary holding facility in Mozyr after he had spent 5 days there¹¹⁰, and was sent to Minsk. Later in the day Dimiter Kenarov was expelled from the country with the entry ban for three years.¹¹¹

As it turned out on July 1¹¹², Kenarov was detained together with journalist **Jason Motlah** on the automotive equipment maintenance plant during an interview with its director. The police got the call with on the international journalists from the plant management.

After the interference by the US Embassy, Jason Motlah was released and deported from the country for conducting journalist activities with a tourist visa. Kenarov, who had lost his passport on his way to Mozyr, was told by the police that he would stay in the temporary holding facility till the Bulgarian Embassy gave him the new documents.

At first the journalist was put into the temporary holding facility for 48 hours then the detention was prolonged, and the term wasn't stated.

On July 2, 2011 Kenarov has got the documents from the Embassy but he was refused to be set free till July 4, the date of his ticket to Bulgaria.¹¹³

107 <http://baj.by/m-p-viewpub-tid-1-pid-10933.html>

108 <http://baj.by/m-p-viewpub-tid-1-pid-10946.html>

109 <http://spring96.org/ru/news/44298>

110 <http://www.svaboda.org/content/article/24255523.html>

111 <http://news.tut.by/society/233443.html>

112 <http://spring96.org/be/news/44297>

113 <http://news.tut.by/society/233443.html>, <http://news.tut.by/society/233289.html>,

http://naviny.by/rubrics/politic/2011/07/04/ic_news_112_371434/

IV. Creation of the obstacles to the free conduction of the activities of the lawyers and exercising of right for legal protection

Lawyers providing legal protection of citizens and their guaranteed rights and freedoms, according to international standards are treated on equal basis with the human rights defenders and are to be specifically protected.

The Bar as an Institute of legal professionals should be independent from the authorities, since its main role rests with provision of aid to the citizens, including aid in the disputes involving representatives of the authorities. Its activities should be based on the principles of legality, independence, self-governance, corporativity and equality of the lawyers.

The Report published after visit of the UN Special Rapporteur on Independence of Judges and Lawyers to Belarus in 2000 it stipulates that: “the executive power, in particular Ministry of Justice, exercises excessive control over the legal professionals. Such kind of control undermines the main essence of the independence of legal professionals and is a violation of the Basic Principles on the Role of Lawyers. Such control leads to the violations resulting in accusation, prosecution, intimidation and interference on the part of the executive authorities... Special Rapporteur is concerned with prosecution of the some bar lawyers because of protection of their clients. Legal prosecution or threat of legal prosecution of the attorneys-at-law because of their professional activities counteracts to the principle 20 of the Basic Principles on the Role of Lawyers. Special Rapporteur estimates that prosecution of these lawyers because of their professional activities related to the human rights protection is violation of the right for freedom of expression and violation of the Principle 14 of the Basic Principles on the Role of Lawyers. Legal professionals should have right to conduct their professional activities without any prosecution, intimidation, obstacles or unlawful intrusion on the part of the authorities or different other subjects. In this regard state should recall its commitments in accordance with the Principles 16,17 and 18 of the Basic Principles on the Role of Lawyers”¹¹⁴.

Any kind of pressure on attorneys-at-law puts under doubt access to the effective legal aid for their clients and might create obstacles for the fair administration of justice, to which, according to their statements, are inclined the authorities of Belarus.

Developments of this period are first of all related to the introduction of the urgent re-assessment of all Belarusian bar lawyers, as well as with strengthening of the trend towards more severe state control over the activities of the certain bar lawyers and certain associations of the bar. It is important to notice that in particular legal representatives of the convicts of the criminal case on the events of December 19th faced different problems during the assessment process.

4.1. Description of the facts

On June 28, 2011 in accordance with the Decree #135 of the Ministry of Justice of Republic of Belarus the Head Departments of Justice (territorial branches of the Ministry of Justice) approved composition of the Assessment Commissions chaired by the Heads of the respective Departments. Activities of the bar lawyers have been made subject to the assessment on the basis of various indices which evaluate how they provide legal protection in criminal cases, represent citizens in the civil cases and entrepreneurial disputes, as well as in the cases on administrative offences.

¹¹⁴ <http://www.belhelcom.org/?q=ru/node/7425>

On June 30, 2011 members of the House of the Representatives of the Parliament adopted in the first hearings Law “On bar and activities of the lawyers in the Republic of Belarus”, which prescribed extension of the lists of reasons for the deprivation of the lawyers’ licenses. Among the reasons were systematic (2 or more times per year) violations of the requirements and conditions of the professional activities; conduct which does not correspond to the status of the attorney, list of which is defined by the Code of Conduct of the Bar Lawyers; violation of the procedures of remuneration for legal services, resulting in the mispending of the budgetary funds in the amount of 10 and more of basic amounts; creation of the obstacles to the activities of Ministry of Justice on carrying out of the control over the enforcement of legislation; purchase or another way of attainment of the property of the client, which is a subject of dispute; inability to perform professional duties because of the lack of qualification confirmed by the Qualification Commission. Lawyer has a right of appeal against the decision on deprivation of license in Court. Law also defines new norms regulating procedure of makingbar lawyers face disciplinary liability. Disciplinary procedure can be initiated by the board of the Bar branch, to which the bar lawyer belongs to or by the Minister of Justice on own initiative or on the basis of the complaint, ruling or submission. According to the Minister of Justice, V. Golovanov, given law is aimed at ensuring state control over the quality of performance by the representatives of the bar¹¹⁵.

On July, 26 2011: **Anna Bakhtina**, attorney of Irina Khalip and **Dar’ya Lipkina**, attorney of Nikita Likhovid did not pass the extraordinary re-assessment initiated by the Ministry of Justice. In case of Anna Bakhtina three reasons have been pointed out: “violation of the regulations of barlawyers’ activities and code of professional conduct, as well as inadequate extent of awareness-raising work on legal issues among the population”. Irina Burak, attorney of A. Lybed’ko and A. Kalskovskiy found herself in the similar situation.

On July, 30 2011: Center for Legal Transformations prepared appeal to the UN Special Rapporteur on the Independence of Judges and Lawyers. In the appeal human rights defenders inform the Special Rapporteur about deprivation of the licenses of Anna Bakhtina, Dar’ya Lipkina, Zarina Ageyeva and initiation of the criminal prosecution of Tatiana Ageyeva. Appeal was submitted on behalf of 5 human rights organizations (Foundation for Development of Legal Technologies, Center for Human Rights”, Human Rights House, Legal Aid to Population and Belarusian Helsinki Committee) and individual human rights defenders. In the appeal HRDs call upon the Special Rapporteur to undertake all necessary measures in the framework of her mandate¹¹⁶.

On August, 1 2011: it became known that Anna Bakhtina made written appeal to the Assessment Commission, in which she stated her intention to appeal against the decision and Dar’ya Lipkina stated that she does not agree with the decision of the Commission. According to the procedure materials produced by the Assessment Commission are submitted to the Qualification Commission, which is entitled to take decisions on the basis of received information. Those decisions could be appealed to court¹¹⁷.

115

<http://news.open.by/country/56838>

116

<http://www.charter97.org/be/news/2011/7/30/41092/>

117

<http://spring96.org/be/news/44898>, <http://belapan.com/archive/2011/08/01/487826/>

On August, 2 2011: Anna Bakhtina launched an appeal against the decision of the Assessment Commission to the Qualification Commission of the Ministry of Justice¹¹⁸.

On August, 3 2011 the Ministry of Justice stated at its web-site that deprivation of licenses of Anna Bakhtina and Dar'ya Lipkina "is not on the Ministry agenda"¹¹⁹.

On August, 3 2011 Ministry of Justice stated that information containing in the appeal of the HRDs, among which was Belarusian Helsinki Committee, was smearing. In particular, Ministry considered as "groundless" the information on deprivation of Bakhtina and Lipkina of their licenses. Ministry stated, that these lawyers have appropriate licenses and are carrying out their activities. Ministry also underlined that only 2 out of 5 signatories of the appeal are registered: BHC and Center for Human Rights. in this context the Ministry demanded from the BHC an explanation as to "the facts of defamatory information"¹²⁰.

On August, 4 2011 the Qualification Commission decided to approve licenses of Anna Bakhtina, Dar'ya Lipkina and Irina Burak¹²¹.

On August, 8 2011the Board of the Ministry of Justice reviewed progress of the urgent re-assessment of the lawyers._ At that moment 1050 bar lawyers have been assessed and approved. Qualification Commission of the Ministry carried out assessment of the 52 Chairs of the Legal Aid Services. According to the results of the re-assessment carried out by the territorial commissions, Qualification Commission of the Ministry provided individual recommendations to each lawyer supposedly aimed at enhancing the quality of legal aid and avoiding violations of the law¹²².

On August, 16 2011 the Qualification Commission of the Ministry at its Session has decided to deprive **Tamara Sidorenko**, attorney of the former presidential candidates Vladimir Neklyayev and Ales' Mikhalevich of license.

On August, 17 2011 atorney-at-law T. Sidorenko was supposed to go through re-assessment procedure together with other lawyers of the Legal Aid Service of the Leninskiy Ditsrict of Minsk. However, the Qualification Commission of the Ministry of Justice took decision to stop the license of lawyer Sidorenko without waiting for the results of the assessment. On August, 31 2011 that decision was confirmed by the Board of the Ministry of Justice.¹²³.

118 <http://belapan.com/archive/2011/08/03/488399/>

119 <http://belapan.com/archive/2011/08/03/488399/>

120 <http://belapan.com/archive/2011/08/03/488399/>

121 <http://belhelcom.org/ru/node/14362>,

http://naviny.by/rubrics/society/2011/08/08/ic_news_116_373981/

122 http://www.minjust.by/ru/site_menu/news?id=923

123 <http://spring96.org/ru/news/45424>

V. Conclusions

Hereby, we could state that during the last two months the pressure on the human rights defenders, journalists and lawyers has continued. After the data on bank accounts of a number of human rights defenders' was revealed by Lithuania and Poland, the human rights community was forced to resort to self-defense.

The arrest of Ales Bialiatski, although it has been expected for the last few months, was, nevertheless, a shock for many people and a big loss for the human rights community.

Some more representatives of the Human Rights Centre "Viasna", whose data was disclosed along with Ales Bialiatski data, are under the threat of administrative fines and criminal persecution. To the moment of this publication, the Public Prosecutor's Office of Poland declines to provide information about the data disclosed to Belarusian authorities and the human rights defenders that had been receiving financial support through Polish accounts feel themselves at risk.

Particular point of concern is the probability of the third warning by the Ministry of Justice to the Belarusian Helsinki Committee. It's worth noting that one of the warnings, as well as the recent demand for written explanations, relate to appeals sent to the UN Special Rapporteur, that could be regarded as pressure on the organization attempting to use the human rights protection mechanisms within the UN framework.

During the silent protests the police and plain-clothes security people have used unfounded and disproportional violence while arresting the participants and journalists, human rights observers, attacking people with cameras, destroying the equipment, etc. The law enforcement officers do not acknowledge journalists that haven't passed the procedure of the obligatory accreditation.

The extraordinary re-attestation and disbarment of seven attorneys that represented those accused in the criminal case on the events of December 19, 2010 could be considered as pressure on the bar lawyers; as well as creating legal grounds for a disproportionate tightening of the state control on legal practice and activities of the Bar.

In general, we can state that the Belarusian authorities continue to demonstrate unwillingness to meet their international obligations, regard any criticism towards them as inadmissible and apply sanctions against journalists and human rights defenders. The events of the last months have demonstrated the consistency of the state pressure on civil society, aspiration for the total control over it and pushing all the alternative and independent opinions outside of the legal framework.

The recommendations of the international organizations, as well as those of the International Observation Mission, addressed and regularly sent to the Belarusian authorities, are disregarded and not implemented.

VI. Recommendations

To the Republic of Belarus authorities:

- to stop interfering into the legitimate activities of human rights organizations and initiatives in the Republic of Belarus as well as to ensure freedom of activity for civil society organizations by, among the other measures, abolishing criminal liability for participation in the activities of non-registered organizations, simplifying the procedure of registering non-governmental organizations and conditions for receiving foreign funding;
- to adopt national action plans in the field of human rights, including the strategies and measures for defense of human rights defenders and support to their activities;
- to provide answers to the questions set in the Interim assessment by the Special Rapporteur of the Committee on International Control;
- to follow the preliminary recommendations of the UN Special Rapporteurs on the situation of human rights defenders, on the promotion and protection of the right to freedom of opinion and expression and on the independence of judges and lawyers; to request their independent assessment on the current situation of human rights defenders, journalists and lawyers;
- to follow the recommendations suggested in the OSCE Moscow Mechanism report;
- to initiate adoption of amendments to the law “On mass media” to bring it in compliance with the Recommendations of the Bureau of the OSCE Representative on Freedom of the Media (2008).

To the law enforcement agencies of the Republic of Belarus:

- to take immediate measures to return all the equipment seized from the human rights organizations and initiatives right after the investigative actions;
- to conduct open and public investigation of all the arrests of journalists, violence and damage to the equipment by the unidentified plain-clothed persons during the “silent rallies” in June-August 2011, as well as other facts of law enforcement agencies interfering with the activity of journalists; and to bring those guilty to liability according to Article 198 “Obstruction of a journalist’s legal professional activity” of the Republic of Belarus Criminal Code;
- to take measures for journalists’ defense during their professional activity in covering mass events, in particular, it can be done through coordinating the appropriate identification methods for journalists at the mass actions with the journalists’ community and Ministry of Information, by optimizing the work of so called “informational group” of militiamen and raising awareness of the policemen of the rights of journalists’ rights during mass events;
- to follow the provisions of the OSCE Guidelines on Freedom of Peaceful Assembly, in particular, to take into account the specific role of journalists and human rights observers, to distinguish them from the participants of the assemblies and to create most favourable environment enabling their professional activity;
- to conduct open and public investigation on excess of power by the Ministry of Justice in the sphere of actions on attorneys’ re-attestation/re-assessment.

To the Ministry of Information of the Republic of Belarus:

- to seize pressure on non-governmental mass media by the means of warnings and imposition of fines for minor infractions;
- to coordinate appropriate identification methods for journalists at the mass actions with the law enforcement agencies and professional journalists' associations, as well as to take to inform mass media representatives about those measures.

To the Ministry of Justice of the Republic of Belarus:

- to stop interference with the activity of the bar lawyers and their associations;
- to conduct the independent hearings of the appeals and to take measures to reinstate the licenses of those attorneys who were forced out of the legal practice by license deprivation and expulsion from the Bar;
- to withdraw warnings given to the Belarusian Helsinki Committee as those based on illegal grounds; and to stop regarding the official appeals to the international institutions as "discreditation of the authorities";
- to fulfill the demands of the United Nations Human Rights Committee decisions by registering the Human Rights Centre "Viasna".

To the Ministry of Foreign Affairs of the Republic of Belarus:

- to ensure the possibility of visit to Minsk by the OSCE Representative on freedom of the media with the aim of getting counsel in meeting the media freedom commitments undertaken by Belarus in the OSCE framework;
- to put an end to the practice of accreditation withdrawal and revoking of the visas granted to journalists from the foreign mass-media;
- to assist the Republic of Belarus in complying with its international obligations in the sphere of press freedom, in particular, facilitating foreign journalists' visits and accreditation.

To the UN Special Rapporteur on the situation of human rights defenders:

- to submit official communications to the Belarusian authorities on specific cases of persecution of human rights defenders in the country;
- to request an official invitation for visiting the Republic of Belarus with a view to investigate the situation having taken place in the country after the elections (December 19, 2010);
- to pay special attention to the episodes of pressure on the human rights organizations as a result of them having submitted information to the United Nations, and to insist on inadmissibility of such a practice by the UN member state.

To the UN Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression:

- to submit official communications to the Belarusian authorities on specific cases of pressure and persecution of journalists and mass media, as well as interference with their activity in the country;
- to request an official invitation for visiting the Republic of Belarus with a view to investigate the situation having taken place in the country after the elections (December 19, 2010).

To the UN Special Rapporteur on the independence of judges and lawyers:

- to submit official communications to the Belarusian authorities on specific cases of lawyers' persecution in the country;

- to request an official invitation for visiting the Republic of Belarus with a view to investigate the situation having taken place in the country after the elections (December 19, 2010); in particular, for assessment of the situation on the independence of courts and judges, as well as on the pressure towards lawyers and lawyers' associations.

To OSCE Focal Point for human rights defenders and national human rights institutions:

- to initiate public claims and appeals to Republic of Belarus authorities on behalf of the OSCE structures and institutions related to the systemic persecution of human rights defenders in the country;

- to monitor the situation with human rights defenders on the regular basis, to respond to the cases of pursuit with terminal notes and to organize OSCE representatives' attendance at the legal proceedings connected with human rights defenders;

- to address the OSCE member states with a proposal of paying particular attention to defense of human rights defenders in the Republic of Belarus during the OSCE Permanent Council sessions.

To OSCE Representative on Freedom of the Media:

- to continue monitoring the Republic of Belarus in complying with its commitments on media freedom in the framework of the OSCE and to promote immediate changing of the situation for the better, by means of official visit among other measures taken.

To the European Union Missions in Belarus:

- to improve efforts in following the European Union Guidelines on Human Rights Defenders;

- to intensify public contacts with human rights defenders by conducting public meetings and visits of high-ranking EU officials and other EU political figures and EU missions into the human rights organizations' offices;

- to correct the local strategy on defense of human rights defenders, taking into account changes in the context and including on the obligatory basis national and international human rights organizations working in Belarus into this process;

- to send the representatives for attending and monitoring during the legal proceedings connected with human rights defenders;

- to issue public statements and demarches in cases of direct and serious risk for human rights defenders;

- to initiate in their countries discussions on measures to minimize the damage resulted from providing the banking data of Ales Bialiatski and other human rights defenders, as well as on the possible ways for changing the practice of satisfying the Republic of Belarus authorities' claims of the kind to avoid similar situations in the future;

- to insist on suspension and review of the bilateral agreements on legal aid between the EU member states and the Republic of Belarus till the situation with human rights in the country improves.