



9 September 2010

STATEMENT

**Belarus: Freedom of Expression Must Not be Compromised  
During Pre-Election Period**

**As Belarus awaits the announcement of the date for upcoming Presidential Elections, the country is engulfed in an unprecedented wave of violence and intimidation against independent journalists. ARTICLE 19 has grave concerns about the safety and security of media workers in the country and calls on the Belarusian government to commit to the protection of the media and to ensure they are free to report on the elections without fear of repercussions.**

On 3 September 2010, Aleh Byabenin, a Belarusian human rights activist, journalist and founder of an independent news web-site, *Charter '97*, and its editor-in-chief for over 10 years, was found dead in his summerhouse near Minsk. In an interview with ARTICLE 19, Natalia Radina, the editor of *Charter '97*, disputed the official version that Aleh committed suicide, which was announced by the police before the results of the forensic examination were released. She noted that over the last months, the pressure on *Charter '97* has been mounting and that Aleh was killed for political reasons. Aleh also had close links to one of the presidential candidates, Andrei Sannikov.

*“In anticipation of the announcement of the presidential elections we fear the death of Aleh Byabenin is a signal for a new stage of severe governmental repression against the independent media in Belarus,”* says Agnès Callamard, Executive Director of ARTICLE 19. *“Free and fair elections can only take place in an environment where the media is able to report without fear of intimidation or violence.”*

A day after publishing a commentary on Aleh’s death, Sviatlana Kalinkina, the editor-in-chief of an independent newspaper, *Narodnaya Volia*, received a postcard with death threats. Sviatlana Kalinkina found the post card in her mailbox, without her address, stating the hunt on ‘traitors’ had started and warning her not to write any more articles.

These two recent incidents follow an increase in harassment and physical attacks on independent journalists and media, orchestrated by the Belarusian Government throughout 2010. For example, in response to the reporting about illegal hunting of high ranking government officials in Homiel region (south-east Belarus) in February 2010, a criminal investigation was initiated against Maryna Koktysh, a journalist with *Narodnaya Volia*. The case is being prosecuted based on a complaint filed by Ivan

Korz, ex-head of the KGB in the Homiel region. In July 2010, a criminal defamation investigation was launched against Natalia Radina, in response to readers' comments to the article "1937-Style Harassment" posted on the *Charter '97* website in February 2009. ARTICLE 19 deplores the use of criminal defamation to harass human rights activists and journalists, as well as the existence of criminal defamation laws as such, which breach of the right to freedom of expression.

Moreover, in connection to the criminal defamation case against Maryna Koktysh, her home and that of three other journalists, Natalia Radina, Irina Khalip, Minsk correspondent of the newspaper *Novaya Gazeta* and Sviatlana Kalinkina were raided. Their computers were seized and have not been returned since. Police also interrogated the journalists. In March, Radina was assaulted by police who were conducting a search of the *Charter '97* office. She sustained an injury to her eye, confirmed by the results of a forensic medical examination. Radina filed a complaint against the police but it was dismissed by the authorities. She has been questioned four times since March.

Other intimidation of independent media by the government has included the use of official warnings, which could lead to the immediate closure of media outlets. Both the independent weekly *Nasha Niva* and *Narodnaya Volia* received several warnings from the Ministry of Information throughout 2010, and now face the threat of official suspension. *Nasha Niva* received two warnings within one week in July when they published materials related to the Russian documentary about President Lukashenka. Just recently in August 2010, the Belarusian Ministry of Taxes initiated an unplanned audit of *Nasha Niva*, and if found in breach of any regulations, the newspaper could face a large fine and freezing of its accounts. Such unexpected government inspections are part of a regime of government control, often used against independent organisations and media to add additional pressure on them not to express dissenting opinions.

The above trends of intimidation and physical attacks against independent media, coupled with the suspicious death of Aleh Byabenin, raise serious concerns about the media's ability to report on the upcoming presidential elections without fear of intimidation or violence. Previous presidential elections in 2001 and 2006 saw a severe crackdown on both media and the political opposition. Political opponents were intimidated, had their campaign materials confiscated, or newspapers covering their profile seized, and had no or limited access to the mainstream mass media in Belarus, TV. As the majority of media, apart from internet, is state-owned, or at least state controlled, opposition candidates were either not reported on or were portrayed in a negative way. This resulted in very limited and biased reporting on opposition candidates, not providing citizens with a full and impartial picture of all the candidates or their programmes. ARTICLE 19 considers that for free and fair elections to take place, the media should be able to report without fear of repercussions, and all presidential candidates should be represented accurately and without bias and provided with equal access to any media to allow voters to make an informed decision.

Based on the above ARTICLE 19 calls on the Belarusian Government to:

- Immediately open a full and impartial investigation into the death of Aleh Byabenin and ensure that both the perpetrators and instigators are brought to justice

- Take all measures necessary to protect individual journalists against acts of violence, threats and intimidation
- Drop all criminal defamation cases against journalists and human rights defenders and take immediate steps towards decriminalisation of defamation
- Guarantee the right of the media to report freely and without fear on the presidential elections, the right of all presidential candidates to equal access to the media, and the right of citizens to receive full information to allow them to make an informed decision in the electoral process.

**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](http://www.article19.org)