

# Reporters Without Borders

<http://www.rsf.org/belarus-charge-dropped-but-jail-still-19-03-2013,44234.html>

Europe/Ex-USSR - Belarus

Not enough

## Charge dropped, but jail still possible under earlier conviction

19 March 2013

Reporters Without Borders welcomes last week's decision to drop the charge of defaming President Lukashenko that was brought in June 2012 against **Andrzej Poczobut** (Андрэй Почобут), a journalist of Polish origin based in the western city of Hrodna.

Poczobut, who works for several independent media including the Polish newspaper *Gazeta Wyborcza*, is nonetheless still subject to a three-year suspended jail sentence that he received in 2011 on a similar charge.

"We call on the authorities to overturn Poczobut's earlier conviction, which was clearly political, abandon any other judicial proceeding pending against him and allow him to travel abroad," Reporters Without Borders said.

"Articles 367, 368, 369 and 369.1 of the criminal code (on defaming and insulting an official, the president and discrediting the republic) and other articles restricting freedom of information must be repealed. Dropping charges against one of the journalists who is under pressure is not enough."

When Poczobut was arrested on 21 June 2012, he was charged with defaming the president under article 367.2 of the criminal code. Linguists who examined articles he had written for the [Charter97.org](http://Charter97.org) and [Belaruspartizan.org](http://Belaruspartizan.org) websites reportedly found expressions "insulting the head of state" and "discrediting the republic."

[Released conditionally](#) on 30 June, Poczobut said he thought the aim of this second case to force him to leave Belarus.

[According to](#) the Belarus Association of Journalists (BAJ), the Hrodna Committee of Investigation (west of the country) dismissed the charges on 15 March because of "the absence of objective data proving that Poczobut committed a crime" and the "diverging findings of the linguistic expert reports."

As a result, Poczobut can now travel within Belarus, which will facilitate his work, but he cannot travel abroad.

In the previous case, Poczobut [was held arbitrarily](#) for three months in 2011 on a charge of defaming and insulting the president in a total of 10 articles that appeared in 2010 and 2011 on the *Gazeta Wyborcza* and [Belaruspartizan.org](http://Belaruspartizan.org) websites and in his blog.

He was released after being given a three-year jail sentence that he would have to serve if he violated the judicial control under which he was placed. The court will issue its final decision in September 2013.

In the past 10 years, at least nine people, including three journalists, have received suspended jail sentences or forced labour sentences for defaming and insulting President Lukashenko.

Belarus is ranked 157th out of 179 countries in the [2013 Reporters Without Borders press freedom index](#).

Picture: Kseniya Avimova / AFP

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