



# General Assembly

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### Human rights bodies and mechanisms

#### **Note verbale dated 2 March 2021 from the Permanent Mission of Belarus to the United Nations Office at Geneva addressed to the secretariat of the Human Rights Council**

The Permanent Mission of the Republic of Belarus to the United Nations Office and other international organizations in Geneva hereby encloses information on the right to freedom of opinion and expression (see annex).

The Permanent Mission requests that the present note verbale and the annex thereto\* be published as a document of the Human Rights Council, under agenda item 5, in all official languages of the United Nations.

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\* Reproduced as received.



## **Annex to the note verbale dated 2 March 2021 from the Permanent Mission of Belarus to the United Nations Office at Geneva addressed to the secretariat of the Human Rights Council**

[Original: Russian]

### **Statement of the Belarus Union of Journalists Minsk, 25 February 2021**

The Belarus Union of Journalists, as the largest association of media professionals in Belarus (1,977 active members as at 1 January 2021), deeply regrets the refusal to allow it and the elected Ombudsman for the Protection of Journalists the opportunity to participate on an equal basis in the discussions on media freedom in Belarus at the online Arria-formula meeting of the Security Council held on 22 January 2021. This discussion directly affected the interests of the journalism community in our country and of our association as a genuinely independent non-governmental institution and platform for the self-organization of Belarusian journalists and bloggers.

We consider the refusal by the Permanent Mission of Estonia to the United Nations to give the representatives of the Union access to the discussion, based on a completely spurious technicality, to be a completely politicized decision, which calls into question the general objectivity, impartiality and transparency of such events.

We condemn the discriminatory approach of the organizers when drawing up the list of meeting participants. The individual briefers who took part in the discussion, the Belarusian citizens S. Tsikhanouskaya and P. Latushko, did not do so on any basis other than their personal and obviously partisan position, do not represent the views of the entire journalism community in Belarus, have no right to make statements in its name and are not recognized experts on the work of the media.

Moreover, during a period of complex social and political campaigning around the presidential elections in Belarus, these citizens acted as catalysts for an unprecedented campaign of harassment, persecution, bullying and spreading of hate speech against journalists with views and political opinions that differ from their own.

This campaign had grave consequences for our professional community. More than 400 journalists and members of the Union received (and continue to receive) threats to their lives and health, including threats against their families and relatives, even minor children and older parents. At least 12 of our colleagues covering these events were subjected to beatings and physical assaults by rioters. Six journalists have serious health issues owing to the harassment and intimidation.

In this regard, we would like to draw the attention of Ms. Irene Khan, the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, who participated in the discussion, to the report on the promotion and protection of the right to freedom of opinion and expression (A/74/486) and the recommendations it contains, prepared by her predecessor, Mr. David Kaye, and submitted at the seventy-fourth session of the General Assembly in September 2019. This report sets out in detail the provisions of the international conventions, decisions and recommendations of the United Nations, of which we believe Ms. Tsikhanouskaya and Mr. Latushko and their supporters continue to be in serious violation, by inciting ever more acts of aggression against Belarusian journalists.

For example, before the Belarusian People's Assembly, Mr. Latushko called for the personal data of participants to be gathered, blacklists to be drawn up and personal restrictive measures to be taken against them. Among the 2,700 registered delegates of this distinguished forum were some of our fellow journalists. The delegates of the Assembly were put forward by civil society institutions (trade unions and associations of creative professions), workers' associations, citizens' groups, local councils of deputies and the

national parliament. Therefore, Mr. Latushko was calling for a serious violation of the rights of our colleagues to participate in the public and political life of the country and of the International Covenant on Civil and Political Rights, including article 19 on the rights to hold opinions without interference and of freedom of expression.

Moreover, the very fact that Ms. Khan participated as Special Rapporteur in an event in which some representatives were allowed to participate, although they were far removed from the media and journalism, while direct representatives of the Belarusian media were excluded, casts doubt over not only the mandate but also the statements and conclusions made during the event. In this context, we urge the Special Rapporteur to fulfil her mandate objectively and impartially, as required by Human Rights Council resolution 7/36 and the Code of Conduct for Special Procedures Mandate Holders of the Council.

We insist on the universal right of Belarusians to defend their sovereignty against foreign aggression and interference, including in cyberspace, on the same legal grounds as are used in the United States of America, France, Germany, Russia and other States (including laws and regulations on foreign agents, the protection of private information and combating extremism in the public realm).

Belarusian society and lawmakers at all levels are ready to apply the best international standards in this area. As a full member of the International Federation of Journalists, the Belarus Union of Journalists has already been implementing in its public work the Federation's new Global Charter of Ethics for Journalists (2019) and the recommendations of the Organization for Security and Cooperation in Europe Representative on Freedom of the Media, including on the establishment of a National Committee to Protect Journalists in March 2020.

We draw your attention to the need to listen to and hear all sides at the international level. It is inadmissible to allow only one side to speak. It is not the first time that the Belarusian media community has experienced this.

For example, at the World Press Freedom Conference 2020, organized by the United Nations Educational, Scientific and Cultural Organization and the Ministry of Foreign Affairs of the Netherlands, the screenwriter and playwright Andrei Kureichik, who has no connection with journalism, spoke on behalf of Belarusian journalism at a dialogue on the subject of media freedom and freedom of expression in Belarus. Moreover, as at the previously mentioned event, Belarusian experts were not allowed to speak. Numerous inaccurate assertions were made during the discussion. The response of the Belarus Union of Journalists to this act of discrimination was immediately sent to the organizers and participants of the Conference. In this context, we wish to stress that the spreading of misinformation and discriminatory treatment of participants in prominent United Nations forums is inadmissible, as it breaches the fundamental principles of the Charter of the United Nations.

The Belarus Union of Journalists is a professional association of journalists. We do not receive funding from either the authorities, opposition sources or foreign donors. A high proportion of our members are independent journalists and bloggers who live off their talent. However, even they are subjected to coordinated harassment and violence from protesters and censorship by the moderators of major social media sites. Two recent examples are the beating of the blogger Aleksei Golikov in Brest and the censorship of his channel by YouTube and the threats to the life and health of the blogger Evgeny Volodchenkov in Homiel, followed by the blocking of all his popular web content and channels. We referred both these cases to the competent law enforcement agencies for investigation and complained to Facebook, YouTube and Telegram about the unjustified censorship.

We draw your attention to the pressure on journalists and entire editorial boards – which is totally unacceptable in international practice – that has been brought to bear by the European Union and its individual member States through sanctions. Such sanctions are in force against a number of members of the Belarusian media: the Chair of the National State Television and Radio Corporation of the Republic of Belarus and television producer and presenter, I. Eismont; the correspondent and television presenter for Stolichnoe Televidenie, G. Azarenok; the editor-in-chief of the Belarus Segodnya media group and media producer, D. Zhuk; and the director of the Mir Intergovernmental Television and Radio Corporation in

Belarus and television producer, B. Pertsov. The sanctions are completely at variance with European and international law and violate two judgments rendered by the General Court of the European Union in Luxembourg in similar cases in 2013 and 2014 (T-693/13 – *Mikhalchanka v. Council*).

We call on the United Nations High Commissioner for Human Rights, the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression and the Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights to clearly and publicly condemn such discriminatory and illegal acts by European Union officials and major social media companies against Belarusian media representatives.

The Belarus Union of Journalists stands ready to engage in real and equitable dialogue and respectful discussion on matters of freedom of speech and the press. We are categorically opposed to using the issue of human rights, including media freedom and the rights of journalists, to tarnish the image of Belarus, legalize foreign interference and put political pressure on our country.

Commissioner for the Protection of Journalists

Chair of the Board of the Belarus Union of Journalists

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