



Source: The Telegraph

CONVICTION OF JOURNALISTS IN BELARUS SHOWS MAGNITUDE OF CRACKDOWN ON PROTESTS

This statement can be attributed to a spokesperson for the Clooney Foundation for Justice. For further inquiries, please contact media@cfj.org.

CHARGES

'Organization and preparation of actions that grossly violate public order'

MAX SENTENCE

Up to 3 years imprisonment

OUTCOME

Convicted and sentenced to two years imprisonment

TRIALWATCH MONITOR

American Bar Association
Center for Human Rights and
Human Rights Embassy

February 18, 2021

Today, a court in Belarus convicted two Belsat journalists of violating 'public order' and sentenced them to two years' imprisonment simply because they live-streamed a protest. This is just one of the latest in a string of arrests of those working for Belsat, one of the only independent outlets operating in Belarus. Indeed, in 2020, its journalists [were arrested 162 times](#).

On November 15, 2020, the journalists, Katsyaryna Andreyeva (Bakhvalova) and Daria Chultsova, were arrested and detained while covering a protest responding to the killing of Roman Bondarenka, who was [beaten to death by individuals believed to be plainclothes police officers](#). They were streaming live for Belsat TV. Andreyeva and Chultsova have been in detention ever since their arrests. Their editor has [explained](#) that he believes the criminal charges are "[r]evenge for the streams [and] part of the policy of intimidating journalists."

These journalists are not the only ones to face charges under Article 342 of the Belarusian Criminal Code, which criminalizes "organization and preparation of actions that grossly violate public order." Indeed, the authorities have previously [sought to prosecute large groups of protesters](#) under this provision. This conviction also comes amidst [ongoing harassment of journalists and human rights activists](#).

Amal Clooney, Co-President of the Clooney Foundation for Justice, said, "**Covering a protest is not a crime. The Belarusian authorities should stop locking up journalists who are simply trying to report the news.**"

In this case, the authorities alleged that the journalists' live-stream had caused damage to Minsktrans, which runs public buses, trolleybuses and trams, due to traffic stoppages resulting from the protest. But the defendants paid the alleged damages arising from traffic delays and defense experts concluded that the journalists' live-stream did not in fact serve to organize or encourage protests. **CFJ calls on the court of appeals to reverse these convictions.**

BACKGROUND

The defendants in this case were initially charged with and convicted of the administrative offense of participating in an illegal protest. They were then subsequently alleged to have 'organized and prepared actions that grossly violated public order,' a criminal charge. After the criminal charges were brought, the defendants were transferred to Zhodzina prison, [where prisoners have reportedly been beaten and otherwise abused](#).

During the trial, the defendants were confined to a cage.

TrialWatch has previously documented the [politicized prosecution of Marina Zolotova, the editor-in-chief of TUT.BY, one of the other remaining independent outlets in Belarus](#). In December 2020, the UN High Commissioner for Human Rights noted that [373 journalists](#) had been arrested in Belarus just since August. OHCHR has also found—as was the case here—that Belarussian authorities are seeking to impose increasingly “[more severe](#)” penalties on those involved with protest activity. As an OSCE Rapporteur has [recently put it](#), “[t]he freedom of the media and the safety of journalists are under massive attack, as are the freedom of assembly and association and the right to liberty and security.”

A full TrialWatch Fairness Report will be made available shortly at www.trialwatch.com.

ABOUT THE CLOONEY FOUNDATION FOR JUSTICE'S TRIALWATCH INITIATIVE



**CLOONEY
FOUNDATION
FOR JUSTICE**

The Clooney Foundation for Justice's [TrialWatch](#) initiative monitors and grades the fairness of trials of vulnerable people around the world, including journalists, women and girls, minorities, LGBTQ+ persons and human rights defenders. Using this data, TrialWatch advocates for victims and is developing a Global Justice Ranking measuring national courts' compliance with international human rights standards.