



HUMAN RIGHTS COUNCIL – 48th SESSION

Item 4: Interactive dialogue on the interim oral update of OHCHR on the situation of human rights in Belarus in the run-up to the 2020 presidential election and in its aftermath

- *Oral update and interactive dialogue held pursuant to Resolution [46/20](#).*

Opening Remarks by H.E. Ms. Michelle Bachelet, UN High Commissioner for Human Rights: three international experts were appointed on 14 May 2021 – Karinna Moskalkenko (Russian Federation), Susan Bazilli (Canada), and Marko Milanović (Serbia). Government of Belarus informed that they would not cooperate with the OHCHR to implement the resolution. The request for a meeting with the Ambassador of the Republic of Belarus was rejected. Standard OHCHR methodologies for examining situations remotely were used. **The OHCHR considers that the human rights situation in Belarus has continued to worsen in 2021.** Over 650 individuals in Belarus are believed to be imprisoned because of their opinions, among them members of the opposition, human rights defenders, journalists, protesters and activists, including the Chair of a well-known human rights group Viasna. At least **497 journalists and media workers were reportedly detained in 2020, with at least 68 subjected to ill-treatment.** 27 journalists and media workers remained in detention, among them Raman Pratasevich, who was arrested in May following the extraordinary diversion of a flight from Greece to Lithuania. 129 CSOs had been closed down or were in the process of liquidation by the authorities, including several long-standing partners of the UN human rights mechanisms. Independent news portals *Tut.by* and *Zerkalo.io* have been termed "extremist". The Belarusian PEN Center, Belarusian Association of Journalists were shut down. Ministry of Justice filed a lawsuit for the liquidation of the Belarusian Helsinki Committee. Ms. Bachelet was alarmed by persistent allegations of widespread and systematic torture and ill-treatment in the context of arbitrary arrests and detention of protesters. At least four protesters died. **Gender-based violence in detention is a serious concern.** 30% of arbitrarily detained are women and girls. The Office has received reports of sexual violence committed by law enforcement officials. **Thousands of people have fled Belarus since the 2020 presidential election**, many to the Czech Republic, Germany, Georgia, Latvia, Lithuania, Poland and Ukraine, among other States. Refugees and other migrants from third countries have been encouraged by the Belarus authorities to cross the country's borders with EU States. Journalists, lawyers, civil society and humanitarian actors have to be granted access to the border areas. The report to the next session of the HRC will include more detailed analysis and recommendations.

Delegation of Belarus: does not agree with consideration of the situation in Belarus under Item 4 and does not recognise resolution 46/20. It called on the Council not to consider itself a judge and refrain from subjective statements. Report has ignored the Government's position; it is full of baseless statements and false accusations, explanations for which were demanded. Regarding the creation of the body for the consideration of the human rights situation in Belarus: resolution 46/20 does not give the authority to create such a body with respect to Belarus. Exceeding the mandate is unacceptable.

Interactive dialogue

Delegations that took the floor during the Interactive Dialogue (44 statements):

Lithuania on behalf of Nordic-Baltic countries, NB8 (Denmark, Estonia, Finland, Iceland, Latvia, Lithuania, Norway, Sweden), European Union, Germany, Liechtenstein, Greece, Slovenia, France, Austria, Albania, Croatia, Estonia, Slovakia, Bulgaria, Iceland, Australia, Finland, Luxembourg, Lithuania, Netherlands, USA, Ireland, Belgium, Czech Republic, Ukraine, Poland, Latvia, Romania, Lebanon, Egypt, Venezuela, Cuba, Republic of Korea, Russian Federation, China, Syria, Nicaragua, Iran, Sri Lanka, Tajikistan, Azerbaijan, Cambodia, Kazakhstan, Lao People's Democratic Republic, Eritrea.

Lithuania on behalf of NB8: Lukashenko regime is trying to silence the voices of those suffering. Called for accountability, immediate cessation of all repressions, and release of all political prisoners. Strongly condemned the Lukashenko regime's efforts to instrumentalize irregular third-country migrants in an



attempt to destabilize EU Member States. **EU:** remains gravely concerned about continuing massive attacks against human rights defenders and activists, journalists, political opponents, members of trade unions, lawyers, representatives of civil society and persons belonging to the Polish and other minorities. EU strongly calls on the Belarusian authorities to immediately and unconditionally release and drop the charges against all those, whose detention was arbitrary and politically motivated, halt the repression against civil society and hold all those responsible for human rights violations or abuses to account. Continues to support international initiatives to hold all perpetrators to account, including through the OHCHR and the International Accountability Platform for Belarus. *What are the most important steps that the international community can take to ensure full accountability for human rights violations or abuses in Belarus?* **Germany:** the case of Raman Pratasevich represents just a tip of the iceberg; called for immediate and unconditional release of the illegally detained, urged Belarus to prosecute and punish human rights violations. **France:** brutal repressions carried out against civil society and democratic protesters continue to worsen. Called for unconditional release of **Maria Kalesnikava and Maksim Znak;** will continue to fully implement the EU restrictions against human rights violations in the country, called to abolish the death penalty. **Many countries aligned themselves with the EU statement and conveyed similar calls to Belarusian authorities, namely Liechtenstein, Greece, Austria, Albania, Croatia, Estonia, Slovakia, Bulgaria, Iceland. Australia** said it looked forward to the outcomes of the investigation by the ICAO Council into the military interception of Ryanair Flight FR4978 in May 2021. *Requested an update on the likelihood of the OHCHR and relevant Special Procedures Mandate Holders being allowed to visit Belarus to undertake an on-the-ground assessment of the human rights situation.* **Finland:** *what urgent steps should be taken to improve regional and international human rights mechanisms access to Belarus?* **Switzerland:** *has the review mechanism under resolution 46/20 been able to begin its work? Does it have sufficient resources to fulfill its mandate?* **Luxembourg** *what means could the international community use to better support civil society in Belarus, especially with regard to support for the most vulnerable, such as refugees?* **Lithuania** is accepting Belarussians seeking asylum because of repressions in their own country and will continue supporting its people, civil society and independent media. **Netherlands** highlighted the remarkable role of independent journalists, civil society organizations and human rights defenders in and outside Belarus. *Given the increased use of the Belarussian judiciary as an instrument of repression, what measures need to be taken to hold Belarus to its international obligations in this regard?* **USA:** is deeply concerned by the suppression of independent political opinion in Belarus and by the Lukashenko regime's escalation of violent tactics to crush the Belarusian people's democratic aspirations. *What will it take for the regime to release all political prisoners, participate in a genuine dialogue, and hold free and fair elections?* **Ireland** urged the Belarusian authorities to reverse the amendments to the Laws on Mass Media, Mass Gatherings and the Code of Administrative Offences, other regulations that curtail civil society's ability to express and voice opinions. **Belgium:** the country has changed into an open-air prison where citizens are afraid to leave their homes. Called on the authorities to implement the recommendations of the OSCE's Moscow Mechanism report. **Czech Republic:** the lawlessness seems to have prevailed in the country, called for an immediate and unconditional release of journalist Ihar Losik and the arbitrarily detained. **Ukraine:** Ukrainian citizen Mykhailo Farynets was sentenced in Belarus to 3 years in prison for allegedly participating in actions that violate public order despite the absence of reliable evidence of his guilt; warned Russia against its cynical attempts to take advantage of the situation in Belarus and undermine its sovereignty. **Poland:** called to immediately release all imprisoned dissidents, including former presidential candidates; human rights defenders and lawyers, among them: Ales Bialiatski, Valiantsin Stefanovich, Uladzimir Labkovich, Maxim Znak; leaders of the Union of Poles in Belarus – Andželika Borys and Andrzej Poczobut; independent journalists Katsiaryna Andreyeva and Daria Chultsova – and almost 700 other political prisoners. **Latvia:** *what challenges the OHCHR is facing in implementing the mandate?* **UK:** *What more can the international community do to support civil society and independent media in Belarus?* **Romania** was one of the countries who invoked the OSCE's Moscow Mechanism and supported the creation of the International Accountability Platform for Belarus.



A number of countries, including Egypt, Venezuela, Cuba, Republic of Korea, Russian Federation, China, Syria, Nicaragua, Iran, Sri Lanka, Tajikistan, Azerbaijan, Cambodia, Kazakhstan, Lao People's Democratic Republic, and Eritrea, expressed their principled position rejecting the politicization and exploitation of human rights to interfere in the internal affairs of countries, and stressed the importance of adhering to the principles of universality, objectivity and non-selectivity, and the elimination of double standards when considering human rights issues; condemned the UCMs and external pressure imposed against the Government of Belarus; opposed the resolution that prompted the debate, as the one that sets dangerous precedents for unacceptable interference in the electoral processes of sovereign states; acknowledged the commitment of Belarus to the observance of human rights, cooperating with the OHCHR, thematic Special Procedures and human rights treaty bodies; and considered unjustified the appointment of three experts by the High Commissioner, who are entrusted with studying the situation with human rights in Belarus.

NGOs that took the floor during the Interactive Dialogue (9):

Right Livelihood Award Foundation, Human Rights' House Foundation, International Bar Association (*Joint Statement*), International Federation for Human Rights, Article 19, World Organisation against Torture, International Commission of Jurists, Ingénieurs du Monde, Advocates for Human Rights

All the organisations called for the unconditional release of all political prisoners, investigations of human rights violation, ensuring free civic space, human rights and fundamental freedoms in Belarus. Almost all the NGOs urged all Member States to ensure that the OHCHR Examination Mechanism on Belarus has the necessary resources and funds to continue to carry out its mandate. **International Bar Association** in a joint statement called for abolishing death penalty in Belarus. **Article 19** called on the OHCHR to undertake an assessment on the implementation of the right to freedom of expression, free media in Belarus.

Remarks by the Delegation of Belarus: appreciation to the States that supported Belarus and condemned the attempts to interfere in Belarusian domestic affairs. In addition to the UN, West is also using different tools of a hybrid war using the pretext of human rights. Rejected the accusation of political use of migrants. The attempt to steal the elections in Belarus through street protests failed. Media and NGOs carried out activities to destroy national security. This has been and will be brought to account. Now in Belarus order has been restored. Investigative bodies have completed the investigations on the complaints on militia's excessive use of force, sexual violence, torture, etc. Constitutional Committee working on the new draft Constitution and the referendum on this issue will be held at the beginning of the next year. Ryanair incident was mentioned – there was no violation in this instance.

Final remarks by H.E. Ms. Michelle Bachelet, UN High Commissioner for Human Rights: unfortunately, only 50% of the required resources was approved for this year to launch the work of the Examination Mechanism. Direct access of the HRC's mechanisms is restricted in Belarus. But OHCHR effectively uses tools for the remote examination of the situation. Any information on the human rights situation that any State possesses will be welcomed. Civil society has been central to amplifying demands of Belarusian people. Encouraged States to continue to provide support to actors who fight for the democracy of Belarus.

Video recording of this meeting is available [on the UN Web TV](#).