



HUMAN RIGHTS HOUSE
FOUNDATION

**30th SESSION OF THE UNITED NATIONS HUMAN RIGHTS COUNCIL
Geneva (Switzerland)**

24 September 2015

Item 6

Adoption for the UPR report of Belarus

Human Rights House Foundation statement endorsed by:

Assembly of Pro-Democratic NGOs of Belarus, Barys Zvozkau Belarusian Human Rights House, Belarusian Association of Journalists, Belarusian Documentation Centre, Belarusian Helsinki Committee, Human Rights Centre "Viasna", Initiative FORB partnership on expertise and law, Legal Initiative NGO, Legal Transformation Center (Lawtrend), Office for the Rights of Persons with Disabilities, Solidarnasc (Solidarity) Committee.

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Mr Chairperson,

This statement is endorsed by a coalition of Belarusian human rights organisations who have actively participated to the UPR submission, around the Belarusian Human Rights House in exile in Vilnius.

We took note of the participation of the Republic of Belarus to its Universal Periodic Review. We deeply regret that the UPR remains the only mechanism recognised by the Belarusian authorities. Belarus continues to lack cooperating with other international human rights mechanisms, including the treaty bodies and the special procedures. Belarus is also the only European country not to be a member of the Council of Europe.

We further regret that the Belarusian authorities have failed to establish cooperation on the UPR with interested parties in the country, including non-registered NGOs. The events organised on the UPR with the United Nations presence in Belarus were also exclusively for registered organisations.

Belarus received 257 recommendations in total¹. It took note of 70 recommendations, which addressed substantial human rights issues in the country, including the lack of cooperation with the Special Rapporteur, the ratification of the second optional protocol of the International Convention on Civil and Political Rights (ICCPR), the elimination of criminal responsibility for non-registered NGOs, the introduction of a moratorium on death penalty. Furthermore, recommendations on concrete measures Belarus needs to take to cease the intimidation against journalists and human rights defenders were refused.

In addition, in the addendum to the report of the Working Group, a number of 26 recommendations were totally ignored, which concern important issues such as the request to amend the law on mass media and on mass events.

¹ See doc A/HRC/30/3 and addendum A/HRC/30/3.

Belarus affirmed that it already has implemented 6 recommendations, and already implemented a total number of 11 recommendations, as stated in the addendum to the report of the Working Group, **including “to ensure that the judiciary is free from other branches of the Government (Switzerland)”²**. We are interested to hear from Belarus in which manner this recommendation is already implemented, given the patent lack of independence of the judiciary and the systematic harassment of lawyers representing clients human rights victims or working on cases related to the death penalty, as we document in our report *Human Rights Lawyers at Risk*.³

We welcome the release of 6 political prisoners on 22 August 2015, namely Mikalai Statkevich, Mikalai Dziadok, Ihar Alinevich, Yury Rubtsou, Artsiom Prakapenka, Yauhen Vaskovich, **despite the fact that no recommendations in this regard were accepted in course of the review.**

However, none of the political prisoners were rehabilitated in their civil and political rights and they are still facing criminal convictions, they are subjected to preventive monitoring until the expiry of their sentences. They are hence all unable to run in elections at any levels, including the upcoming presidential election of 11 October 2015. In addition, the presence of open and non - removed convictions may result in the use of tougher forms of control and restrictions (preventive supervision), including the threat of imprisonment for violation of these restrictions.

We took note of the increased cooperation of Belarusian with the European Union and other election monitoring mechanisms in view of the presidential elections. However, human rights violations in the country continue to persist, human rights defenders, lawyers and journalists are regularly intimidated and persecuted.

We deeply regret that Belarus rejected many recommendations, which are in fact to the core of the State’s obligations under international human rights law. We call upon Belarus to work on the effective implementation of recommendations made in regard to the rights of freedom of expression, association and peaceful assembly, stop harassing civil society and criminalizing human rights defenders, and to present concrete indicators on the implementation of recommendations. To do so, it must fully cooperate with international human rights monitoring mechanisms.

² See doc A/HRC/30/3, Recommendations number 127.74 made by Switzerland

³ Human Rights House Network, Human Rights Lawyers at Risk Making the Case for Protection of Legal Professionals in Azerbaijan, Belarus, Moldova, Russia, and Ukraine, Oslo & Geneva, September 2015, available at <http://humanrightshouse.org/Articles/21175.html>