



HUMAN RIGHTS HOUSE
FOUNDATION

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General Debate, Item 4

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Thank you, Mr Chairperson,

Belarus imposes a tax on those it considers “social parasites.” Unsurprisingly, people in Belarus took the streets to contest this legislation over the past few weeks. Rather than listening to the calls from the streets, Belarusian authorities began a crackdown on these peaceful protestors the last few days and arrested dozens.

On 5 April 2015, the Presidential Decree Nr 3 “On preventing social dependency”, introducing a tax on so-called “social parasites”, entered into force, imposing a 250 dollars tax on those who work less than half a year and do not register at the country’s labour offices.² Since February 2017, hundreds of people have protested peacefully in the streets of different cities of Belarus against this presidential decree – we had not seen such protests since the large protest following the presidential election of December 2010. The demonstrations were illegal under Belarusian laws – itself in breach with Belarus’ obligations under international human rights law –, but tolerated by the authorities until recently.

Police did not intervene as over 1’000 demonstrators marched in the 10 March 2017 rally in Maladzyechna, where protesters chanted “Long Live Belarus!” and “Power to People!”

Only following that event, men presumed to be security officers used force to detain several activists, including opposition politicians Anatol Lyabedzka, Yuras Hubarevich, Volha Kavalkova, and Vital Rymasheuski.³

As a result of the demonstration, on 9 March 2017 President Lukashenko suspended the collection of taxes for the current year.⁴ He also assured a “tough reaction” against organisers of

¹ Statement endorsed by the following NGOs: Barys Zvozskau Belarusian Human Rights House (on behalf of the following NGOs): Belarusian Association of Journalists, Belarusian PEN Centre, City Public Association “Centar Supolnasc”, Law Initiative, Human Rights Centre “Viasna,” Belarus Watch, and Belarusian Helsinki Committee; as well as Assembly of Pro-Democratic NGOs.

² Hundreds Protest In Belarus City Against Tax On Jobless, RFE/RI’s Belarus Service, 11 March 2017, available at <http://www.rferl.org/a/belarus-protests-parasite-law-pinsk/28363781.html>

³ Belarusian activists detained after hundreds rally against ‘parasite’ tax, Radio Free Europe Radio Liberty, 10 March 2017, available at <http://www.rferl.org/a/belarus-parasite-taxes-protests-lukashenka/28362569.html>

⁴ Decree No.3 to stay in force, tax collection postponed for a year, 9 March 2017, available at <http://eng.belta.by/president/view/decree-no3-to-stay-in-force-tax-collection-postponed-for-a-year-99321-2017>

dissent and instructed his interior minister to ensure that “perfect order” is established in the country:

- **As of 14 March, more than 100 people have been detained in connection with these demonstrations, especially opposition activists, human rights defenders, and journalists;**
- On 11 March, the Maladziečna District Court ordered jail terms ranging between 7 and 15 days against a dozen persons detained following the 10 March protest, including Anatol Liabedzka and Vital Rymasheuski. Both were sentenced to 15 days imprisonment;⁵
- According to the Belarusian Association of Journalists, 18 journalists and bloggers who were covering the events in different cities of Belarus were detained. On March 13, two of the detained journalists, Halina Abakunchyk and Katsiaryna Bakhvalava, were held liable according to administrative law;⁶
- **The Human Rights Center “Viasna” documents arbitrary detentions of civil society activists and opposition members.⁷ Leanid Sudalenka, a lawyer of “Viasna,” and Anatol Paplauny, a regional representative of “Viasna,” were both subpoenaed. Their trials are to be held on 17 March.⁸**

Mr Chairperson,

In September 2016, the Special Rapporteur on Belarus stressed the “persistence of a system of short-term arrests and detentions, on highly disputable grounds, of political opponents and activists as a method of harassment and intimidation.”⁹

Six months later the human rights situation in Belarus has not improved. Highly restrictive legislation remains in place, allowing the authorities to, at any given time, arrest dissenting voices, human rights defenders, journalists, activists, or anybody else. Everybody should be allowed to exercise their right to peaceful assembly, not be at the mercy of the authorities’ arbitrary tolerance or repression of such assemblies.

We call upon Belarusian authorities to immediately and unconditionally release those sentenced for administrative detention related to these protests and hold any further sentences, including by cancelling all legal processes of all participants to the protests.

We further call upon Belarus to bring its legislation and practices in line with its obligations in regard to the right to peaceful assembly, including in preserving the rights of journalists to cover such demonstrations.

Belarus also must stop using presidential decrees as a governance method¹⁰ and abolish the “social parasite” legislation, which is in violation of human decency and an “an arbitrary and cruel measure,” as put by the United Nations Special Rapporteur on the human rights situation in Belarus, Miklós Harastzi.¹¹

– Ends –

⁵ Protesters sentenced to jail terms in Maladziečna, Human Rights Center “Viasna”, <http://spring96.org/en/news/86162>.

⁶ BAJ Protests against the Wave of Detentions, Demands Justice, 13 March 2017, available at <https://baj.by/en/analytics/baj-protests-against-wave-detentions-demands-justice>.

⁷ Stop persecution of citizens for exercising their right to peaceful protest and expression, The Human Rights Center “Viasna”, 11 March 2017, available at <http://spring96.org/en/news/86155>

⁸ Protesters, journalists detained across Belarus, Human Rights Center “Viasna”, 12 March 2017, available at <http://spring96.org/en/news/86171>

⁹ UN Report on the situation of human rights in Belarus A/71/394, 21 September 2016, §85

¹⁰ “The structural character of the fact that widespread human rights violations remain unaddressed is underlined by the centralization of the legislative and executive powers in the office of the President. Presidential decrees are used as the main, and in fact, supreme legislative mechanism in the country.” Report of the Special Rapporteur on the situation of human rights in Belarus to the United Nations Human Rights Council, 18 April 2013 (UN Doc: A/HRC/23/52), paras 35 and 36.

¹¹ UN Special Rapporteur concerned about recurring violence against demonstrators in Belarus, 14 March 2017, available at <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=21375&LangID=E#sthash.YllmLqTT.dpuf>.