

**Resolution on the human rights situation in Belarus adopted by the participants
in the Belarusian Human Rights Defender Forum
held in Vilnius, Lithuania, on 25 September 2010**

We, the participants of the 2nd Belarusian Human Rights Defender Forum, evaluating the development of the human rights situation in Belarus since the first Forum in January 2004, regret to state that, taking into consideration the main parameters, the human rights situation in the country is steadily unsatisfactory.

As for the most painful points highlighted by human rights defenders in 2004, there has been no sustained progress:

- the rights and freedoms, guaranteed by the Constitution of the Republic of Belarus, are not secured, many of the legislative acts do not meet international standards of human rights, which lays the foundation for violations of constitutional rights of citizens;
- Belarus continues to ignore its international legal human rights obligations, including the decisions of the UN Human Rights Committee adopted in respect to Belarus;
- Lack of an independent judiciary as a separate branch of power deprives citizens of any possibility to protect violated rights in court and limits access to justice;
- A full, impartial and transparent investigations into disappearances of Yury Zakharenka, Viktsr Hanchar and Anatol Krasouski have not been conducted; an official investigation into the disappearance of Dzmitry Zavadski was suspended on 31 March 2006 and has not been resumed since;
- Belarus is the only country in Europe and the former Soviet Union, which still not only practices death sentences, but enforces them;
- The country still holds political prisoners; opponents of the regime are subject to criminal and civil prosecution;
- The information space is totally controlled by the government, whose policy on independent media and journalists remain rigid and discriminatory;
- Freedom of assembly and association are not secured. The government continues to close down existing NGOs and deny registration to emerging NGOs, while activities of unregistered NGOs ones are punishable under the Criminal Law (Article 193.1 of the Criminal Code). 17 persons have been found guilty of violating this article since 2004;
- Equality of the two official languages is not respected.

At the same time, there have been have seen some positive changes in some respects at certain periods over the past five years. In this regard, we welcome:

- Early release of some political prisoners,
- Initiation of a dialogue with the European Union on human rights issues,
- Submission of a national report under the UN Universal Periodic Review procedure;

- Targeted measures to liberalize domestic policies, including those associated with a decrease in the amplitude of political repression following their escalation in 2006, the registration of individual public associations and the return of independent media to the state distribution network, the creation of the Community Advisory Council at the Presidential Administration and the Coordination Council on the media and inviting individual representatives of the human rights community of the country for cooperation.

However, the scarce and mostly non-systemic goodwill gestures were insignificant against the authorities' total disregard for the values of human rights and fundamental freedoms: the irreversible and systemic changes for the better have not occurred.

We express profound disappointment over the dismissal by the authorities of the majority of recommendations on particularly sensitive human rights issues made by the UN Human Rights Council during its consideration of the Universal Periodic Review in May 2010.

We urge the Government of Belarus to:

- Review their policy and take all possible measures to implement the recommendations voiced by the UN Human Rights Council at the Universal Periodic Review.

- Declaration a moratorium on executions, to be followed by the abolition of the death penalty.

- Lift the ban on the activities of unregistered public associations and other civil society structures, including the repeal of Article 193-1 of the Criminal Code.

- Take measures to implement the decisions of the UN Human Rights Council, taken on cases of violations of the Covenant on Civil and Political Rights by the Republic of Belarus.

- Access to the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights.

- Provide real equality of the two official languages of the Republic of Belarus: to publish all legislation in Belarusian and Russian languages to ensure everyone's access to education in the Belarusian language; to guarantee the equal use of the official languages in the state media, on radio and television, to implement in practice the freedom from linguistic discrimination.

We are ready to make our own efforts and to help the Belarusian government to implement these and other measures for the approximation of the country to international and European human rights standards. In this regard, it is our duty to note that the accession of our country to European instruments that would give our citizens the European level of guarantees of political and socio-economic rights in accordance with the standards of the Council of Europe is possible only if our government gets rid of the death penalty - this barbarous relic, which makes Belarus the pariah of the European continent.

In the context of the current socio-political agenda, we also call on the Belarusian government in the shortest time possible to:

- Release all political prisoners and restore the rights of persons who have been convicted and / or remain partially deprived of their rights on the grounds of political convictions or social activities, and reinstate the expelled students and the dismissed public and political figures.

- Refrain from political reprisals against the participants in the campaign for the presidential election in December 2010 and hold these elections in accordance with the national law the OSCE criteria for free elections.

- Refrain from restrictive measures against independent media and the freedom of expression, particularly the Internet regulations of 2010 as a means of censorship.

- Refrain from imposing additional restrictions on the establishment and operation of public associations and other forms of non-profit organizations, to prevent degradation of their status in relation to the draft law "On Noncommercial Organizations".

We are confident that the steps taken in this direction will overcome the negative international image and self-isolation of Belarus, will contribute to a state system of government, where human rights and freedoms are observed and respected, will become a solid foundation for the development of the civil society in the country.