



HUMAN RIGHTS HOUSE  
FOUNDATION

20<sup>th</sup> session of the United Nations Human Rights Council  
Geneva (Switzerland)  
27 June 2012

Item 4

**Interactive dialogue with the United Nations High Commissioner on Human Rights on the human rights situation in Belarus**

**Human Rights House Foundation statement**

*Check against delivery*

**Thank you, Madam Chairperson,**

Along with Belarusian civil society, the Belarusian Human Rights House and the Human Rights House Foundation **calls upon the Human Rights Council to act on ongoing human rights violations in the country and to establish a special rapporteur on Belarus.**

We regret that the Belarusian authorities have not shown willingness to cooperate with the Office of the High Commissioner, including by allowing the Office to visit Belarus. Cooperation with the United Nations human rights system must be based on the genuine willingness and good faith to use international mechanisms to advance human rights in a certain country, in the spirit of the Charter of the United Nations. **Willingness and good faith is lacking in Belarus' engagement with the United Nations**, as we show in our report with the Belarusian Human Rights House.<sup>1</sup> **Belarusian authorities dismiss special procedures and refuse to recognise the recommendations of treaty bodies. In a letter to the Committee against Torture on 28 December 2011 for example<sup>2</sup>, Belarus refused to recognise some recommendations, including those on torture or evidence obtained through torture. In addition, NGOs and human rights defenders working with the United Nations face reprisals, such as the Belarusian Helsinki Committee or Andrei Bondarenko<sup>3</sup>.**

**In such unwillingness to cooperate substantially with the United Nations, the Human Rights Council needs to react, because the refusal to cooperate with the United Nations system has dramatic consequences.**

**In 2010<sup>4</sup>, 2011<sup>5</sup>, and 2012<sup>6</sup>, five people were executed although their cases were pending at the**

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<sup>1</sup> Report "Belarus is putting itself aside of the international community", June 2012:  
<http://humanrightshouse.org/Articles/18195.html>.

<sup>2</sup> Comments by the Republic of Belarus on the concluding observations of the Committee against Torture, 28 December 2011, paragraph 3 (UN Doc: CAT/C/BLR/CO/4/Add.1).

<sup>3</sup> Report "Belarus is putting itself aside of the international community", pages 9 and 17 (see:  
<http://humanrightshouse.org/Articles/18195.html>).

<sup>4</sup> Andrei Zhuk (case 1910/2009) and Vasily Yuzepchuk (case 1906/2009). For further information on these cases:  
<http://humanrightshouse.org/Articles/14003.html>.

<sup>5</sup> Aleh Gryshkautstou (case 2013/2010) and Andrei Burdyka (case 2017/2010).

## **United Nations Human Rights Committee.**

In this regard, the Human Rights Committee expressed its concern about “the State party’s failure to cooperate in a good faith with the Committee, in its work on individual communications submitted under the Optional Protocol to the Covenant.”<sup>7</sup> After the executions in 2011, in a press communication, the Committee’s chairperson Zonke Zanele Majodina stressed that “[the Committee’s] requests for interim measures of protection are aimed at averting irreparable harm to alleged victims of human rights violations. The Committee deplors the fact that, by proceeding to execute these two individuals, Belarus has committed a grave breach of its obligations under the Optional Protocol to the International Covenant on Civil and Political Rights.”<sup>8</sup>

**The Committee against Torture recently recommended to Belarus to remedy the secrecy and arbitrariness surrounding executions so that family members do not have added uncertainty and suffering, and to improve the conditions of detention of persons on death row.<sup>9</sup> One more recommendation rejected by Belarus.<sup>10</sup>**

**We believe that the Human Rights Council cannot stay silent on the conditions in which the death penalty is carried out in Belarus.** Given those conditions and the lack of independence of the justice, we call upon the Belarusian authorities to immediately adopt a moratorium on death penalty.

**The Human Rights Committee considered the refusal to register the Human Rights Centre “Viasna” to be a violation of the right to freedom of association, despite which the organisation was unable to reregister and has to carry out its legitimate work underground. As a result, Ales Bialiatski, Head of Viasna, Vice-president of the International Federation for Human Rights (FIDH) and one of the founders of the Belarusian Human Rights House, was arrested in August 2011<sup>11</sup> and sentenced in November 2011<sup>12</sup> to 4.5 years in prison on false charges of tax evasion.**

**Harassment and punishment of human rights defenders, lawyers and journalists is ongoing in the country.**

**Lawyers who defended detained presidential candidates were disbarred, including Pavel Sapelka, and others were threatened to lose their licenses.** The Ministry of Justice has dramatically increased its control over the Bar association. The independence of lawyers is thereby directly threatened.

**We call upon the Belarusian authorities to release immediately and unconditionally, and fully rehabilitate, all political prisoners, including human rights defenders and journalist Andrzej Poczobut arrested on 21 June and accused of libel against the president.<sup>13</sup>**

**Thank you.**

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<sup>6</sup> Uladzislau Kavalyou was executed in March 2012.

<sup>7</sup> Human Rights Committee press release, 30 March 2010.

<sup>8</sup> Human Rights Committee’s press release of 27 July 2011: <http://humanrightshouse.org/Articles/16761.html>.

<sup>9</sup> United Nations Committee against Torture concluding observations, 7 December 2011, paragraph 27 (UN Doc: CAT/C/BLR/CO/4).

<sup>10</sup> Report “Belarus is putting itself aside of the international community”, pages 11 and 12 (see: <http://humanrightshouse.org/Articles/18195.html>).

<sup>11</sup> See: <http://humanrightshouse.org/Articles/16796.html>.

<sup>12</sup> See: <http://humanrightshouse.org/Articles/17227.html>.

<sup>13</sup> See: <http://humanrightshouse.org/Articles/18260.html>.