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مجلس حقوق الإنسان

البند ٣ من جدول الأعمال

تعزيز وحماية جميع حقوق الإنسان، المدنية والسياسية والاقتصادية والاجتماعية والثقافية، بما في ذلك الحق في التنمية

مذكرة شفوية مؤرخة ١٢ حزيران/يونيه ٢٠١٢ من البعثة الدائمة
لبيلاروس لدى مكتب الأمم المتحدة ومنظمات دولية أخرى في جنيف
إلى أمانة مجلس حقوق الإنسان

تهدي البعثة الدائمة لجمهورية بيلاروس لدى مكتب الأمم المتحدة ومنظمات دولية أخرى في جنيف تحياتها إلى أمانة مجلس حقوق الإنسان وتتشرف بأن تُرفق طيّه معلومات محدثة عن تعاون جمهورية بيلاروس مع آلية الأمم المتحدة المعنية بحقوق الإنسان*.
وترجو البعثة الدائمة نشر المذكرة الحالية والمعلومات المرفقة طيّه كوثيقة من وثائق الدورة العشرين لمجلس حقوق الإنسان تحت البند ٣ من جدول الأعمال.

* مُستنسخة في المرفق كما وردت، وباللغة التي قُدمت بها فقط.

Annex

[English only]

Facts relating to the cooperation of the Republic of Belarus with the UN human rights machinery

In 2007 as the result of the adoption of the Institution-building package of the Human Rights Council the Council itself and, subsequently, the General Assembly decided not to extend the mandate of the Special Rapporteur on the situation of human rights in Belarus established by the Commission on Human Rights.

May 2009 Upon the invitation of the Government the Special Rapporteur on trafficking in persons, especially in women and children, paid a country visit to Belarus.

July 2009 Belarus submitted its seventh periodic report to the Committee on the Elimination of Discrimination against Women (CEDAW).

August 2009 Belarus submitted its report to the Committee on the Rights of the Child (CRC) on the implementation of the Optional Protocol on the involvement of children in armed conflict and the Optional Protocol on the sale of children, child prostitution and child pornography.

November 2009 The Government extended its standing invitation to eight special procedures of the Human Rights Council.

Upon the invitation of the Government of Belarus the OHCHR made the first needs assessment visit to Belarus: meetings were held with officials in the Ministry of Foreign Affairs, Ministry of Justice, Ministry of Education, Ministry of Internal Affairs and its International Training Center, National Center of Legislation and Research, CIS Executive Committee.

December 2009 Belarus submitted its fourth periodic report to the Committee against Torture (CAT).

May 2010 Belarus passed the Universal Periodic Review and accepted 75 recommendations of 93 made by Member States. The national plan on implementation of UPR recommendations was adopted and the interagency group was established. Belarus' second UPR cycle is due in 2015.

To date, Belarus has implemented over 70 per cent of the recommendations accepted as a result of the first UPR cycle.

June 2010 A meeting with the Special Rapporteur on the human rights of migrants took place and the official invitation by the Government for a country visit was reiterated.

July 2010 A training seminar on the Universal Periodic Review and on the treaty body reporting was organized in Minsk by OHCHR in cooperation with the Government.

November 2010 Belarus submitted its combined periodic reports to the Committee on Economic, Social and Cultural Rights (CESCR).

December 2010 The Government proposed to OHCHR areas for cooperation on the implementation of UPR recommendations and requested technical support in several top-priority areas.

January 2011 A meeting between the Permanent Representative of the Republic of Belarus in Geneva and the High Commissioner for Human Rights took place and the information with detailed comments on the events following the Presidential elections on December 19, 2010 was provided to OHCHR.

The delegation of Belarus had dialogues with the Committee on the Elimination of Discrimination against Women (CEDAW) and the Committee on the Rights of the Child (CRC) while presenting its periodic reports.

December 2010-February 2011 Belarus on its own initiative regularly informed OHCHR and relevant special procedures on the events following the Presidential elections.

May 2011 The OHCHR Adviser on trafficking and the desk-officer on Belarus visited Minsk upon the invitation of the Government.

June 2011 At the 17th session of the Human Rights Council the Belarusian delegation provided the Council with the exhaustive oral and written information on the events that took place in Minsk on December 19, 2010 (see document A/HRC/17/G/4).

Belarus provided the Working Group on Enforced or Involuntary Disappearances with the latest information on the investigation of three outstanding cases.

July 2011 An informal meeting between the Permanent Representative of the Republic of Belarus in Geneva and the Special Rapporteur on the situation of human rights defenders was held and comments on the activity of HR defenders were provided.

August 2011 The Government of Belarus issued an official invitation to the High Commissioner for Human Rights in order to study on site the measures taken by the Government to ensure the promotion and protection of human rights.

Belarus provided special procedures, including Chair-Rapporteur of the Working Group on Arbitrary Detention, Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, with the information on legal grounds for the detention of *Mr. Bandarenka* and his prison conditions.

Belarus contributed to the preparation of a study on the participation of persons with disabilities in political and public life, having presented OHCHR the information pursuant to resolution A/HRC/RES/16/15.

The Belarusian side positively responded to the request for a meeting and took part in an exchange of views with the Human Rights Committee members on a complaints procedure's issues.

September 2011 At the 18th session of the Human Rights Council the Belarusian delegation took part in the interactive discussion on the High Commissioner's oral report on the human rights situation in Belarus and provided the Council with comprehensive oral and written comments on the matter (see document A/HRC/18/G/7). The Belarusian side reiterated its openness for collaboration with the Office and special procedures based on its national priorities and interests.

Belarus accepted the OHCHR invitation and took part in the workshop entitled "Towards a coherent national policy to prevent and combat racial discrimination and related intolerance: developing and implementing national action plans" held in St. Petersburg, the Russian Federation. The information about the progress made with regard to implementation by Belarus of UPR recommendations was presented as well as working consultations between OHCHR and state's representatives were held.

October 2011 In its capacity as coordinator of Geneva Group of Friends United against Trafficking in Persons Belarus organized a meeting between the Group and the Special Rapporteur on the sale of children, child prostitution and child pornography.

Belarus provided special procedures, including Chair-Rapporteur of the Working Group on Arbitrary Detention, Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, Special Rapporteur on the rights to freedom of peaceful

assembly and association, Special Rapporteur on the situation of human rights defenders, with the information on legal grounds for the detention of *Mr. Bialatski* as well as on his physical and psychological well-being in the pre-trial detention facility.

Belarus provided the Working Group on Enforced or Involuntary Disappearances with the latest information on the investigation of three outstanding cases.

November 2011 The delegation of Belarus had dialogue with the Committee against Torture (CAT) while presenting its fourth periodic report.

Belarus urged OHCHR to take utmost efforts to use resources allocated for the technical assistance for Belarus in 2011 to provide support to the Government in top-priority areas that had been brought to the attention of the Office in December 2010.

December 2011 Belarus on its own initiative submitted to OHCHR the Common Core Document to be used by human rights treaty bodies (see document HRI/CORE/BLR/2011).

The Belarusian side together with the Russian Federation and OHCHR held trilateral consultations on the project activity in the sphere of combating trafficking in persons.

Belarus provided HRC special procedures, including Special Rapporteur on extrajudicial, summary or arbitrary executions, Special Rapporteur on the independence of judges and lawyers, Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, with the information on judicial proceedings, the trial and other matters relating to *Messrs. Kanavalau and Kavalyou*.

January 2012 Belarus provided the Special Rapporteur on the right to education with the information he requested for the preparation of a thematic report pursuant to resolutions A/HRC/RES/8/4 and A/HRC/RES/17/3.

Belarus provided the Working Group on Enforced or Involuntary Disappearances with the latest information on the investigation of three outstanding cases.

Belarus also provided the Special Rapporteur on trafficking in persons, especially women and children, with the information regarding the integration of a human rights-based approach into the administration of criminal justice in cases of trafficking in persons.

Moreover, the Special Rapporteur was officially invited by the Government to present a future thematic report at one of the events to be organized in the International Training Centre in Minsk in 2012-2013.

Belarus accepted the OHCHR invitation and took part in the workshop in Tbilisi, Georgia on the follow-up of the recommendations from such international human rights mechanisms as the treaty bodies, special procedures and the Universal Periodic Review. Working consultations between OHCHR and state's representatives were held.

Belarus accepted a request launched by the High Commissioner and submitted to her observations and proposals as its contribution to the ongoing consultative process on the treaty body strengthening.

February 2012 Belarus provided OHCHR with its mid-term progress report on the implementation of UPR recommendations.

Belarus provided the Special Rapporteur on the Independence of Judges and Lawyers with the information she requested for the preparation of a global thematic study pursuant to resolution A/HRC/RES/15/3.

Belarus also provided for the High Commissioner's report the information regarding persons convicted of the violation of law in the context of mass disorders that took place in Minsk on 19 December 2010 as well as non-exhaustive list of points regarding Belarus' cooperation with the UN human rights mechanisms.

At the 19th session of the Human Rights Council (see statement of 1 March 2012 at the General Segment) and in bilateral meetings with the OHCHR senior managers in February-March 2012 Belarus reiterated its official invitation to the High Commissioner to visit the country.

March 2012 Belarus provided the Special Rapporteur on the independence of judges and lawyers with the response to the questionnaire as Belarus' contribution to the preparation of a thematic report on the prosecutor's career, the structure and the organization of the prosecution services and the challenges that prosecutors face in the discharge of their professional functions.

During ID with the Special Rapporteur on the situation of human rights defenders at the 19th session of the Human Rights Council the delegation of Belarus provided the information on the legal grounds for *Mr. Bialatski's* sentence.

Belarus drew the attention of the UN High Commissioner for Human Rights to the Joint Statement by the Governments of the Republic of Belarus, the Republic of Kazakhstan and the Russian Federation on the inadmissibility of using economic pressure or coercive measures against Belarus (see document A/HRC/19/G/14).

April 2012 In response to the request of the Working Group on Arbitrary Detention Belarus provided the information regarding the circumstances, the legal provisions justifying *Mr. Sannikov's* detention as well as the trial process and the sentence.

By the letter of the Minister of Foreign Affairs Belarus drew the High Commissioner's attention to the issue of unilateral economic, financial and travel restrictions applied by the European Union and the United States of America to Belarusian citizens and companies in violation of international law.

Belarus shared with the UN High Commissioner for Human Rights, the OHCHR senior managers and the relevant special procedures of the Human Rights Council the statement by Foreign Ministers of Member States of the Collective Security Treaty Organization (CSTO) with the position regarding economic restrictions imposed by the EU member states against Belarus.

May 2012 The Belarusian side on its own initiative invited OHCHR to consider the possibility of holding some events, which, if implemented, would significantly contribute to the Governments' efforts in strengthening the national potential in the field of human rights, including effective and comprehensive implementation of UPR recommendations.

Belarus provided OHCHR with the information for the report to be presented pursuant to the GA resolution 66/156 entitled "Human rights and unilateral coercive measures".

Belarus responded to the request of the Working Group on Arbitrary Detention regarding legal grounds for *Mr. Bialatski's* sentence.

June 2012 Belarus provided the Working Group on Enforced or Involuntary Disappearances with the updated information on the investigation of three outstanding cases.

The Belarusian side regularly provided the Human Rights Committee with the State Party observations regarding individual communications under a complaints procedure.
