



International Convention on the Elimination of All Forms of Racial Discrimination

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Summary record of the 3095th meeting

Held at the Palais Wilson, Geneva, on Thursday, 15 August 2024, at 3 p.m.

Chair: Mr. Balcerzak

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The meeting was called to order at 3 p.m.

Consideration of reports, comments and information submitted by States parties under article 9 of the Convention *(continued)*

Combined twenty-fourth to twenty-fifth periodic reports of Belarus (CERD/C/BLR/24-25; CERD/C/BLR/Q/24-25)

1. *At the invitation of the Chair, the delegation of Belarus joined the meeting.*
2. **A representative of Belarus** said that, since its previous periodic report, Belarus had made significant improvements to inter-ethnic, interfaith and intercultural harmony, as confirmed by the fact that it had attained Sustainable Development Goal 10 on reducing inequalities ahead of schedule. According to the 2019 census, the population of Belarus was 85 per cent Belarusian, 7.5 per cent Russian, 3.5 per cent Polish and 1.7 per cent Ukrainian, with 152 other ethnicities accounting for the remaining share, all of them coexisting peacefully. As at the start of 2024, 3,592 religious organizations, 25 faiths and religious denominations, 3,419 religious communities and 173 faith-based organizations had been registered in Belarus. There were also more than 140 civil organizations of ethnic minorities, representing 25 ethnicities, all of which received an equal level of financial, legal, organizational and methodological support from the State. Belarus pursued a policy of supporting the free and equal development of all ethnic cultures, languages and traditions, upholding the rights and interests of all ethnic groups and combating racism, xenophobia and discrimination. It was guided in that work by the Constitution of Belarus, the Ethnic Minorities Act, the national security policy and international human rights treaties.
3. Since the submission of the combined reports, and pursuant to the results of a referendum held in 2022, amendments had been made to the Constitution to provide additional guarantees of equality for all. In 2023, following consultations with religious organizations and the public, the Freedom of Conscience and Religious Organizations Act had been amended to ban the involvement of religious organizations in political activities, the dissemination, in places of worship or elsewhere, of texts, including holy texts, or images aimed at promoting social, ethnic, religious or racial hatred or enmity and the involvement of religious organizations in extremist activities. In addition, in 2023, the Political Parties Act and the Voluntary Associations Act had been similarly amended to prohibit incitement to hatred or hostility by those organizations.
4. In 2021, Belarus had adopted the Data Protection Act, which provided for administrative and criminal liability for violations of data protection and set out special protections for certain categories of personal data, including biometric data, which could not be shared without the owner's permission. In 2023, the Foundations of Civil Society Act, developed in cooperation with civil society, had been adopted to support cooperation between government entities and civil society with the aim of strengthening social unity and encouraging respect for all ethnicities, religions and cultures. The Mass Media Act had been amended to prohibit journalists from spreading information concerning individuals or specific groups that was defamatory on the grounds of sex, age, race, ethnicity, language, attitude to religion or profession. The Code of Administrative Procedure and Enforcement had also been amended to increase the accessibility and efficiency of administrative procedures, including by promoting electronic government and allowing citizens to submit declarations in various languages.
5. The Ethnic Minorities Act guaranteed equal political, economic and social rights and freedoms for all ethnic minorities in Belarus. The State did not interfere in private religious matters. Frameworks were in place to enable ethnic and religious minorities to participate in decision-making. Interfaith and inter-ethnic relations were managed by the Office of the Commissioner for Religious and Ethnic Affairs and its two councils, which included representatives from various national cultural public associations. The 2021–2025 programme for the development of interfaith relations, inter-ethnic relations and cooperation with ethnic Belarusians living abroad – which was updated every five years and had been allocated sufficient budget – made it possible to involve the religious and cultural associations of national minorities in decision-making and in activities to preserve and develop the country's ethnic cultures and languages. The Government remained committed

to the overall goals of preventing religious and ethnic conflict, protecting the right to freedom of conscience and belief and supporting the activities of religious and ethnic organizations.

6. Belarus was suffering under unilateral coercive measures imposed by Western States in violation of the Charter of the United Nations and the human rights of the country's citizens, including the right to development and to freedom of movement. It was caught in an information war, which had stoked tensions along its borders and was undermining its national sovereignty and stability and its international image. Falsely accused of weaponizing illegal migration flows at its western border, Belarus had taken all necessary measures to reduce the flow of illegal migration through its territory. It had invited visits from various international organizations and had established shelters for migrants. Nonetheless, its neighbours continued to refuse to cooperate fully with Belarus on political grounds, leaving Belarus with no choice but to redirect its resources elsewhere, including towards managing the effects of the military conflict on its southern border. Such attempts to impose pressure on Belarus by denying migrants a pathway into the European Union had led to the death of 55 migrants at its borders.

7. Belarus was planning to hold a conference on illegal migration in November 2024, to which it would invite all countries in the region, international organizations and the Special Rapporteur on the human rights of migrants, in the hope of relaunching dialogue and cooperation on illegal migration and on the protection of migrants' rights. Belarus was a developed country in the heart of Europe with an educated and hard-working population which had one of the highest human capital indices among United Nations Member States. He therefore encouraged the Committee members to spurn the negative political image of Belarus promoted by the West and to call on the countries bordering Belarus to cooperate with his Government on migration. He looked forward to an unbiased and constructive dialogue with the Committee.

8. **Ms. Esseneme** (Country Rapporteur) said that it would be useful to know whether the State party had a permanent mechanism for drafting reports to the treaty bodies and, if not, how any ad hoc mechanism functioned. It would also be interesting to learn why the parliament did not appear to be involved in the drafting process and whether civil society organizations, in particular those engaged in protecting human rights, were involved in the implementation of concluding observations and the development of reports.

9. She would welcome information on the likelihood of a national human rights institute, in the spirit of the Paris Principles, being established in Belarus and on whether the State party had requested support and advice from the Office of the United Nations High Commissioner for Human Rights in that regard.

10. She invited the State party to provide figures on the precise population size of the Belarusian community and each of the national minorities identified during the 2019 census. In addition, she wished to know what the main focuses of the 2021–2025 programme for the development of interfaith relations, inter-ethnic relations and cooperation with ethnic Belarusians living abroad were, whether the needs of religious and ethnic communities with regard to their political, social and cultural rights had been assessed before the programme had been developed and whether community representatives had been involved in that process.

11. It would be useful to know what obstacles the State party faced to adopting a specific and comprehensive law against racial discrimination. The Committee would also welcome further details on the State party's institutional plan for the period 2016–2019 for implementing the recommendations of the treaty bodies and on any resolutions and decisions adopted as a result of it. Noting that, following its universal periodic review in 2020, the State party had proposed adopting a mechanism to strengthen legislation to promote equality and combat discrimination, she wished to know what steps had been taken to implement that proposal.

12. The Committee was curious to learn how many complaints of racial discrimination had been submitted to each authority competent to receive complaints during the reporting period and what action had been taken in response. It would also welcome clarification regarding the concepts of racial affiliation, national affiliation and social affiliation as used in article 130 of the Criminal Code and the sentences available for offences under that article.

She would welcome information on the cases of the 36 persons convicted under article 130 between 2016 and 2020, the sentences handed down and the reparations granted to the victims. She also wondered why the number of persons convicted of such offences had increased dramatically over the period 2020–2023 and what the State party was doing to ensure freedom of expression for all persons in its territory. The Committee would further be interested to learn what reparations had been accorded to the Roma victims of the three cases of racial violence and online incitement to racial hatred that had been prosecuted between 2019 and 2020.

13. Lastly, given reports of the publication of racial propaganda and hate speech via State media outlets and in educational materials, the Committee wished to know what measures were in place to ensure that public officials distanced themselves from hate speech and to avoid instilling racial hatred in young and future generations. How many investigations and prosecutions had been conducted in connection with public officials accused of incitement to racial hatred or hostility?

14. **A representative of Belarus** said that there was no single permanent committee responsible for preparing the country's reports to treaty bodies. Because of the broad range of issues covered by the Committee's mandate, a number of State agencies were involved in the drafting of the State party's periodic reports to it. The most recent such report had been drawn up on the basis of ongoing collaboration between the Commissioner for Religious and Ethnic Affairs and civil society, with responsibility for the wording of the final text lying with the Foreign Ministry. The lack of involvement of the National Assembly in the process needed to be considered in the context of restrictions introduced at the time of the coronavirus disease (COVID-19) pandemic. The National Assembly had since gained new powers following reforms enacted subsequent to the 2022 referendum.

15. In the 2019 census, two per cent of respondents had declined to answer the optional question asking them to identify their ethnicity.

16. **A representative of Belarus** said that, according to statistics from the 2019 census, the population of Belarus was 9,413,446 persons. That number broke down to 7,990,719 Belarusians, 706,992 Russians, 287,693 Poles and 159,656 Ukrainians. Jews, Armenians, Tatars, Roma, Azerbaijanis, Lithuanians and other groups each accounted for fewer than 14,000 persons.

17. Associations representing ethnic minorities had been involved in considering the Committee's recommendations, adopting measures in response and preparing information for inclusion in the most recent periodic report.

18. **A representative of Belarus** said that the fourth five-year programme for the development of interfaith relations, inter-ethnic relations and cooperation with ethnic Belarusians living abroad, for the period 2021–2025, had been prepared with the participation of civil society organizations, including inter-ethnic and interfaith consultative councils, working under the Commissioner for Religious and Ethnic Affairs. It took into account the interests of ethnic minority communities and different religious organizations within Belarus as well as those of the Belarusian diaspora.

19. **A representative of Belarus** said that the question of setting up a national human rights institution remained under consideration. Any such body would need to be integrated into the country's existing human rights framework and operate effectively. The possibility of establishing an ombudsman for children, who would work in collaboration with the United Nations Children's Fund, had been considered in recent years but was deemed unnecessary at the present time, as the rights of children were already sufficiently covered by existing institutions.

20. Legislation was in force governing interaction between individuals and State bodies, giving any person residing lawfully in the country the right to submit representations to both parliamentary representatives and the heads of all State entities. The powers of the Constitutional Court had been extended: it could now receive complaints of a constitutional nature directly from individual citizens, provided the issue was relevant and sufficiently serious. Cooperation continued between the Government and the Office of the United Nations High Commissioner for Human Rights but had encountered certain obstacles.

21. **A representative of Belarus** said that discussions had been held with European Union bodies, the Council of Europe and other international institutions on the setting up of an ombudsman's office. Views had been exchanged about the relevance and effectiveness of such offices in other countries.
22. In Belarus, an extremely efficient system existed to meet the concerns of citizens: all ministers, deputy ministers and heads of departments were obliged, by law, to receive citizens at regular intervals, either in person or by telephone, to address their questions related to the areas covered by the department concerned. Officials were also required to travel to the country's regions for in-person meetings with individuals who had registered to discuss their concerns. Questions not needing further consideration had to be responded to in writing within five days. Failure to do so could result in punishment for the official concerned.
23. **Ms. Esseneme** said that she would like the delegation to clarify whether the State party was of the view that having a national human rights institution would not be useful to it.
24. The delegation had referred to ethno-cultural minority associations in its responses to questions about civil society organizations and human rights defenders. That could give the impression that it considered them to be direct equivalents, even though civil society organizations and human rights defenders were not necessarily restricted to persons belonging to a specific minority group. She would welcome the delegation's views on the subject.
25. **Mr. Diaby** (Country Task Force), referring to the lengthy prison sentences handed down in recent years to Nobel Prize-winning activist Ales Bialiatski, campaigner Valentin Stefanovich and representatives of non-governmental organizations, mostly in trials conducted behind closed doors, wished to know why closed trials were so widespread in Belarus, whether they guaranteed fair access to justice and whether the rights of the defence were respected.
26. **Ms. Tebie** said that she would be interested to learn the ethnic origin of the 84.9 per cent of respondents who had identified themselves as Belarusian in the most recent census.
27. **Mr. Amir** said that he wondered whether the problems currently facing Belarus, including pressure from the West, might be connected to its proximity to the Russian Federation and the position it had taken on the situation in Ukraine. He would also like to learn whether members of minority groups required a visa to leave and enter the country.
28. **Ms. Shepherd** said that she would like to know whether the 2.2 per cent of the population whose ethnicity had been categorized as "Other" at the time of the most recent census covered Africans and people of African descent. She would welcome statistics on those groups, however small they might be.
29. **Ms. Chung** said that she would like the delegation to explain why the human rights situation in Belarus had deteriorated in the wake of the mass protests that had followed the 2020 presidential elections, including with the introduction of legislative changes relating to discrimination based on nationality.
30. **A representative of Belarus** said that equality had been singled out as a major priority in a 2023 legal policy statement. Social justice was a precondition for enjoying human rights and freedoms and took the form of guarantees ensuring that no one in the country benefited from advantages or privileges which were contrary to the law. Guaranteeing human rights and freedoms was an important part of the State's work, to be restricted only for national security interests, protection of the population and protection of the rights and freedoms of other individuals.
31. While protecting freedom of thought, conscience, belief, association and expression of opinion, the Constitution also prohibited any dissemination of ideas based on racial supremacy, any incitement to discrimination or violence and any stoking of racial, ethnic or religious hatred. Norms combating racism and racial discrimination existed in all areas of the country's legislation, and the Government believed that it was in the interest of the country to foster inter-ethnic and interfaith relations on an equal, harmonized basis.

32. Like all other citizens of Belarus, members of different ethnic groups who planned to travel out of the country needed to follow the standard procedures and comply with the visa requirements of their destination country.

33. **A representative of Belarus** said that the Government was not convinced of the usefulness of national human rights institutions as they existed in many Western countries. None of the examples from other countries had persuaded him that they provided a system more effective than the system of direct democracy already in place in Belarus, whereby citizens submitted their complaints directly to the executive authorities. Nor was it necessarily accurate to depict the institutions as independent entities, given that they were funded by Governments using taxpayers' money. The Government of Belarus did not exclude setting up such an institution if the resources were available and it was considered necessary, but did not deem such a move appropriate at that time.

34. Historically, Belarus was a relatively mono-ethnic country, and there was no reason to believe that the 89.4 per cent of citizens who described themselves as Belarusian were anything other than ethnic Belarusians. There were very few black people in Belarus, the majority of them being students, and only a very small number of those stayed on in the country after their studies to work or because they had married a Belarusian citizen.

35. The trials of Ales Bialiatski and Valentin Stefanovich did not relate to discrimination and thus were not pertinent to the dialogue.

36. **A representative of Belarus** said that, under the International Agreements Act, the legal standards contained in international treaties to which Belarus was a party, which included the definition of racism set out in article 1 of the Convention, were directly applicable in the country. Moreover, many provisions of those treaties had been incorporated into domestic legislation and the Constitution. For example, both direct and indirect discrimination against persons with disabilities were prohibited under the Persons with Disabilities and their Social Integration Act, and the Labour Code banned discrimination on various grounds, including race, ethnic or social origin, language and religious or political convictions.

37. Following a referendum in 2022, amendments had been made to the Constitution introducing, inter alia, additional guarantees of the right to equality of all citizens, reinforcing the State's commitment to inter-ethnic and interreligious harmony and establishing the State's power to take action to ensure that people who were disadvantaged because of their race, sex, age or for another reason were able to compete on an equal footing with the rest of the population. An amendment to article 7 had granted the Constitution supreme legal force and direct effect on the entire territory of the country.

38. The Freedom of Conscience and Religious Organizations Act had recently been amended to strengthen the right to freedom of conscience and protect the activities of religious organizations. Those amendments and other reforms to the legislation governing political parties and public associations had strengthened the prohibition on spreading propaganda or materials intended to incite social, ethnic, religious or racial animosity. In accordance with the Personal Data Protection Act, it was not permitted to process data on racial or ethnic origin, political views, membership of trade unions, religions or other associations, health, sexual life, administrative or criminal sanctions or biometric or genetic characteristics without the consent of the individual concerned.

39. **A representative of Belarus** said that, technically, there was nothing preventing the definition of racial discrimination set out in article 1 of the Convention being incorporated into domestic legislation. However, the Government was of the opinion that such action would not be necessary, not least because international standards were directly applicable at any time. Furthermore, article 22 of the Constitution – which set forth the rights to equality before the law and to equal protection of rights and interests – effectively prohibited all the forms of discrimination foreseen under the Convention. On several occasions, experts had carefully considered the possibility of incorporating a new definition of racial discrimination into national law, but had each time reached the conclusion that the existing system already functioned efficiently. That system comprised not just an extensive body of legislation but also a comprehensive complaints mechanism, under which citizens could challenge any action taken by the Government. In almost 90 per cent of cases, such complaints were

resolved through an administrative process and did not therefore incur the delays associated with judicial proceedings.

The meeting was suspended at 4.40 p.m. and resumed at 4.45 p.m.

40. **Mr. Diaby** said that the Committee would welcome further information on the measures taken by the State party in the spring of 2021, when a humanitarian crisis had arisen following the arrival of tens of thousands of foreign nationals at its borders with Poland, Lithuania and Latvia. He wished to know what measures had been taken to clamp down on the illegal actions of the migration authorities in refusing to accept asylum applications, which had had the effect of forcing migrants to attempt to enter the European Union clandestinely. It would be useful to know whether border guards had received training on the treatment of migrants and refugees. He would also be interested to know what measures had been taken to investigate deaths of migrants and allegations of violence committed by border guards during the humanitarian crisis and what steps had been taken to provide the victims with access to justice and remedies.

41. The delegation might like to respond to allegations that State authorities were encouraging stateless persons to settle in rural areas, where they would have access to only limited employment opportunities. He would also like to know what progress the State party had made towards becoming a party to the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness. The Committee would welcome a response from the delegation to the reports suggesting that thousands of Belarusian nationals living abroad could be rendered stateless or left without valid travel documents because the country's diplomatic missions no longer had the authority to issue, extend and amend passports.

42. He wished to know how many campaigns had been conducted to raise awareness of the provisions of the Convention, which sections of the population had been targeted and how successful the campaigns had been. The Committee would also welcome further information on any specific training on the Convention provided by the Belarusian State University Institute for Further and Advanced Training for Judges and Procuratorial, Court and Judicial Officers and on the measures taken by the Institute to integrate the Convention into its curricula. He would like to know how many relevant training activities the Institute had carried out and how many judges and prosecutors had received instruction on the Convention. Confirmation as to whether police academies were taking measures to incorporate the concept of racial discrimination into their own training curricula would also be of interest. Lastly, it would be helpful to hear how many judges, prosecutors, lay judges, law enforcement officers and members of the judicial police had taken part in the seminar offered by the International Basic, Further and Refresher Training Centre on Migration and Combating Human Trafficking on the prevention of discrimination during the holding of mass sporting events and what measures had been taken or were envisaged to train those officials to identify, record, investigate and prosecute racist incidents, hate crime and hate speech.

43. **A representative of Belarus** said that the Government and non-governmental organizations had made a concerted effort to bring the so-called migrant crisis of the spring of 2021 to the attention of the international community. Throughout the crisis, the Government had regularly informed United Nations agencies and other international organizations about the situation at its borders. It had also set up a committee responsible for gathering information on the reported abuse of migrants, comprising representatives of State bodies, non-governmental organizations, youth and women's organizations and international partners. No allegations of malpractice by Belarusian border guards had been upheld. However, the committee had concluded that migrants had been mistreated by Polish and Lithuanian officials.

44. Following a visit by the regional representative of the Office of the United Nations High Commissioner for Refugees (UNHCR) in September 2021, the decision had been made to keep the UNHCR office in Belarus open in order to help address the migrant crisis. In the winter of 2021, a special centre had been established at the border to provide migrants with essential supplies such as sleeping bags, warm clothing and food. The centre had subsequently been visited by technical experts from the European Commission and

representatives of several international organizations. The Special Rapporteur on the human rights of migrants had also conducted a visit to assess the situation at the border between Belarus and Poland in July 2022.

45. All the international experts had agreed that greater cooperation between Belarus and its neighbours was needed to protect lives and address the situation facing the migrants. Unfortunately, the western neighbours of Belarus had refused to cooperate with the Government since 2020. On several occasions since the start of the migrant crisis, the Government had proposed that they should work together to promote and protect the human rights of migrants. The accusations that Belarus treated migrants cruelly were untrue. The Special Rapporteur on the human rights of migrants had raised concerns about the refoulement and forcible expulsion of migrants and rights violations in holding centres; however, it was not Belarus, but the country's western neighbours that were responsible for those practices. The Government remained willing to relaunch a dialogue with its neighbours and, to that end, a number of international stakeholders, including representatives of the border agencies of western countries, had been invited to attend a special event to be held in Belarus in November 2024 aimed at addressing the situation and preventing future crises.

46. In recent years, the border authorities had reported the deaths of a number of migrants whose bodies had been thrown across the border into Belarus. The competent authorities had opened investigations into each case. However, the success of those investigations was dependent on the cooperation of the authorities in its neighbouring countries. Since no such assistance was forthcoming, the Belarusian authorities had been unable to complete their inquiries.

47. **A representative of Belarus** said that foreign nationals and stateless persons were guaranteed access to health care under the Health Care Act and the Act on the Legal Status of Foreign Nationals and Stateless Persons in Belarus. The conditions for access to health care depended on each individual's legal status and whether Belarus had signed a bilateral agreement with the person's home country. Stateless persons with a temporary residence permit were entitled to receive health care for the duration of their stay but had to pay for those services. Stateless persons who were permanently resident in Belarus had the right to access health care on an equal footing with Belarusian nationals and received free services in State institutions, unless otherwise specified in their labour contracts.

48. **A representative of Belarus** said that her country had started to study the possibility of acceding to the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness in 2014, when UNHCR had launched its global campaign to end statelessness within a decade. In 2019, the Government had officially announced its intention to begin the process of becoming a party to those instruments and, in 2021, the Ministry of Internal Affairs had begun drafting the relevant legislation, which had included certain reservations concerning Belarusian citizenship and domestic law. Unfortunately, work on the bill had been suspended in July 2023 following the outbreak of armed hostilities over the southern border and the subsequent influx of migrants from Ukraine. However, the Government planned to take practical steps towards adopting the legislation as soon as the geopolitical situation in the region returned to normal.

49. Foreign nationals who arrived in Belarus because of a well-founded fear of being persecuted in another country, including on the grounds of race, religion, nationality or ethnic origin, were entitled to refugee status, subsidiary protection or asylum. Since 1997, almost 14,000 people from 89 countries had applied for asylum or protection. In 2023, more than 1,300 persons had applied for protection, half the number who had done so in 2022; 77 per cent of them were Ukrainians. The Ministry of Internal Affairs had handed down favourable decisions on over 2,000 applications in 2022 and on more than 1,000 in 2023. Many of the successful applicants for temporary protection in 2022 had since been granted extensions to their stay in the country. Most of the 7,400 people who had been granted subsidiary protection during the reporting period had arrived from war-torn countries such as Ukraine, Yemen, the Syrian Arab Republic and Afghanistan. The majority of the illegal migrants who entered Belarus arrived from the Russian Federation. Foreigners who had been granted protection in Belarus, foreigners applying for protection, foreigners who were temporary or permanent residents in the country and stateless persons all had access to social

protection and could receive maternity, family and childcare benefits and other State-funded support.

50. **A representative of Belarus** said that Belarusian citizens abroad would not lose their nationality if their passport expired as they had other ways to prove their identity and would be able to renew their passport when they returned to Belarus. The decision to allocate less funding to consular services had been made in response to economic pressure exerted by Western countries. There were few stateless persons living in Belarus and the Government did not discriminate against them in any way. While accommodation options in cities could be expensive and difficult to come by, non-citizens could relocate to one of the many homes available in rural areas if they so wished.

51. After a period of intensive work by experts, the Citizenship Act had been amended to include a provision enabling the courts to strip individuals of their Belarusian nationality if they had been found guilty of certain crimes and were located outside the country at the moment the provision was invoked. The Government had been advised by experts that the amendment did not create a barrier to the country's accession to the Convention relating to the Status of Stateless Persons and the Convention on the Reduction of Statelessness, although further examination of the issue was needed. The Government was working in cooperation with UNHCR on issues including statelessness.

52. **A representative of Belarus** said that law enforcement officials were obliged to ensure that the human rights of citizens were respected when responding to crimes motivated by discrimination on the basis of race or ethnicity. The Government had engaged with international human rights agencies on developing best practices in that respect, which had enabled it to meet its obligations under the Convention by building capacities of prosecutors, exchanging experiences on combating crime and strengthening cooperation with international organizations, including on law enforcement. The Academy of the Ministry of Internal Affairs provided human rights training on international standards concerning the protection of vulnerable groups, including the Convention. A total of 84 officials had received training on migration legislation at the International Basic, Further and Refresher Training Centre on Migration and Combating Human Trafficking, covering topics including citizenship, labour migration and the role of the Ministry of Internal Affairs in implementing migration legislation. Each year, the training centre organized meetings with academic experts and relevant organizations that held educational events and implemented international technical assistance projects. In recent years, the Refugee Coordination Forum had met with representatives of government agencies and several international organizations, including UNHCR.

53. **Mr. Diaby** said that the State party might wish to consider taking further measures to prevent the risk of statelessness among Belarusian citizens abroad who were not in a position to renew their passports.

54. **Ms. Tlakula** said that it was concerning that the President was responsible for appointing and dismissing judges and determining their salaries and terms of office, as that undermined the independence of the judiciary. She would therefore welcome further information on measures taken to prevent political interference in the appointment, dismissal and remuneration of judges.

55. **Ms. Stavrinaki** said that she would welcome data on the number of successful applications for asylum in Belarus and on the nationalities of successful applicants. Given that most applications were submitted by nationals of Afghanistan, Ukraine and Yemen, she wished to know whether those countries were included on the list of countries whose citizens did not need to apply for tourist visas before entering Belarus.

56. **Ms. Chung** said that the Committee had received reports that migrants and refugees had been lured to Belarus on the false promise of easy passage to the European Union and that many had been subjected to torture, ill-treatment and detention in unsanitary and overcrowded conditions during their stay in Belarus. She would welcome comments from the delegation on those allegations with reference to the previous three years and would appreciate a response to her previous question regarding the deterioration of the situation for civil society and ethnic minorities since the 2020 presidential election.

57. **Mr. Gwalawala Sibande** said that, in the light of delegation's response concerning the establishment of a national human rights institution in the State party, he would be interested to learn which studies it had referred to and whether that meant that there would never be a national human rights institution in place in Belarus.

58. The delegation had presented the Committee with anecdotal evidence suggesting that there were very few black people living in the State party and that most were students. He wished to know whether any studies had been conducted with respect to black people in Belarus, including refugees.

59. **Mr. Yeung Sik Yuen** said that he would appreciate further clarification regarding the manner in which provisions of international law, in particular article 1 (1) of the Convention, had been incorporated into domestic law.

60. **A representative of Belarus** said that there were mechanisms available that enabled Belarusian citizens abroad to return to the country if their passports had expired. Any concerns they had could be directed to the law enforcement agencies, who could provide any information they needed. While individuals who had broken the law while abroad would likely be punished, they would of course be assured of due process – all Belarusian citizens were equal before the law, regardless of their location.

61. Although it was possible for courts, lawyers and prosecutors to refer to provisions of the Convention directly, that was not usual practice. The country's systematic approach to lawmaking generally resulted in international standards being repeated in domestic legislation. However, where international treaties contained provisions requiring enabling legislation at national level, they could not be transposed into domestic law unless such legislation had been adopted. Although that meant that there were still some gaps in legislation, the situation provided lawyers and judges with useful room for manoeuvre.

62. In the event of conflict between an international treaty and domestic legislation, the latter would take precedence and amendments would need to be made to relevant laws, which would be a complicated process. It might, however, be useful to note that, following the February 2022 referendum, constitutional norms could be applied directly by all courts throughout the country, in relation to any case. The constitutional guarantees of equality for all were simply a different way of expressing the provision in the Convention concerning discrimination.

63. His Government remained unconvinced by arguments put forward by a number of intergovernmental organizations regarding the need to establish a national human rights institution, particularly as there were many countries that functioned without such institutions. The Government had indeed carried out studies on the matter, albeit not academic research.

64. There were many people of African descent in Belarus, including Belarusian citizens. A significant number of people of African descent living in Minsk were students, as was normal for a capital city. There were also refugees of African descent in the country, and people of African descent were able to apply for refugee status in Belarus, although in some cases they were assisted by the border forces to return by air to their country of origin.

65. The delegation would endeavour to provide the Committee with data on successful asylum applications and the nationalities of the successful applicants. Such applications often took a long time to process, meaning that it was possible that the number of applications processed in a calendar year might not tally with the number of people granted asylum that year.

66. It was incorrect that the situation of civil society and ethnic minorities had deteriorated since the 2020 presidential election. In that connection, it was worth noting that most members of the Human Rights Council had generally not voted in favour of the resolutions on the situation of human rights in Belarus adopted by that body. Several measures had been taken to prevent the occurrence of events similar to those observed at the time of the election, which had been funded by external forces seeking to influence the country's geopolitical direction and constitutional order.

67. It was also untrue that migrants were being lured to Belarus. On the contrary, the delegation would be grateful to the Committee – if the suggestion were to garner consensus among its members – if it might agree to communicate with the Governments of the neighbouring countries to ensure that migrants were able to transit to those countries, as that was where they wanted to go. The Government of Belarus was making every effort to provide such migrants with decent conditions, in line with domestic legislation, during their short stay in the country.

68. The decision had been taken in the 1990s to consolidate the strategic alliance between Belarus and the Russian Federation, with which it had a military, political and economic partnership. The Government had made no attempt to weaken the country's relationship or sever its ties with Western countries, the European Union or neighbouring countries such as Poland, Lithuania and Latvia. Belarus had centuries of shared history with those countries and would continue to trade and cooperate with them.

The meeting rose at 6 p.m.