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COMMISSION ON HUMAN RIGHTS
Fifty-ninth session
Agenda item 9

**QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND
FUNDAMENTAL FREEDOMS IN ANY PART OF THE WORLD**

**Bulgaria*, Canada, Czech Republic*, Hungary*, Latvia*, Poland,
Slovakia* and United States of America: draft resolution**

2003/... Situation of human rights in Belarus

The Commission on Human Rights,

Guided by the purposes and principles of the Charter of the United Nations, the provisions of the Universal Declaration of Human Rights, the International Covenants on Human Rights and other applicable human rights instruments,

Reaffirming that all States have an obligation to promote and protect human rights and fundamental freedoms and to fulfil the international obligations they have freely undertaken,

* In accordance with rule 69, paragraph 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

Mindful that Belarus is a party to the International Covenant on Civil and Political Rights, the Optional Protocol to the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Convention on the Elimination of All Forms of Discrimination against Women, and the Convention on the Rights of the Child,

Welcoming the reopening of the office of the Organization for Security and Cooperation in Europe in Minsk,

Mindful of the requests made to the Government of Belarus by the Working Group on Enforced or Involuntary Disappearances regarding the disappearance of the former Minister of Internal Affairs, Yury Zackarenko,

Noting the concluding observations of the Committee against Torture on the third periodic report of Belarus (A/56/44, paras. 40-46) adopted in November 2000 and the recommendations contained in the report of the Special Rapporteur on the independence of judges and lawyers on his mission to Belarus (E/CN.4/2001/65/Add.1), as well as the lack of progress of the Government of Belarus in addressing the noted shortfalls,

1. *Expresses deep concern:*

(a) At reports from credible sources, including statements of former investigators and senior law enforcement officials of the Government of Belarus, implicating senior government officials of the Government of Belarus in the forced disappearance and/or summary execution of three political opponents of the incumbent authorities and of a journalist;

(b) About reports of arbitrary arrest and detention;

(c) About persistent reports of harassment of non-governmental organizations, opposition political parties and individuals engaged in opposition activities and independent media;

(d) About reports of potential increased restrictions on the activities of religious organizations;

2. *Urges* the Government of Belarus:

(a) To dismiss or suspend from their duties law enforcement officers implicated in forced disappearances and/or summary executions, pending an impartial, credible and full investigation of those cases;

(b) To ensure that all necessary measures are taken to investigate fully and impartially all cases of forced disappearance, summary execution and torture and that perpetrators are brought to justice before an independent tribunal and, if found guilty, punished in a manner consistent with the international human rights obligations of Belarus;

(c) To bring the actions of its police and security forces into conformity with its obligations under the International Covenant on Civil and Political Rights as well as other relevant international standards;

(d) To establish independence of the judiciary and end impunity for persons responsible for killing or injuring individuals;

(e) To release journalists and other individuals detained for politically motivated reasons and to cease harassment of non-governmental organizations and political parties;

3. *Also urges* the Government of Belarus to cooperate fully with all the mechanisms of the Commission on Human Rights, including through extending invitations to the Special Rapporteur on torture, the Special Rapporteur on extrajudicial, summary or arbitrary executions, the Special Rapporteur on freedom of opinion and expression, the Special Representative of the Secretary-General on human rights defenders, as well as the Working Group on Arbitrary Detention and the Working Group on Enforced or Involuntary Disappearances;

4. *Decides* to examine this question at its sixtieth session, under the same agenda item.
