



General Assembly

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Human Rights Council

Seventeenth session

Agenda item 4

Human rights situations that require the Council's attention

Resolution adopted by the Human Rights Council*

17/24 Situation of human rights in Belarus

The Human Rights Council,

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,

Bearing in mind paragraph 3 of General Assembly resolution 60/251 of 15 March 2006,

Reaffirming that all States have an obligation to promote and protect human rights and fundamental freedoms and to fulfil their international obligations,

Mindful that Belarus is a party to the International Covenant on Civil and Political Rights and the Optional Protocols thereto, the International Covenant on Economic, Social and Cultural Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, 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 Optional Protocol thereto, and the Convention on the Rights of the Child and the Optional Protocols thereto,

Taking note of the participation of the Government of Belarus in the universal periodic review in May 2010 as a State under review, acknowledging in this regard its support for a large number of recommendations, and stressing the need for their full implementation in cooperation with the Office of the United Nations High Commissioner for Human Rights,

Concerned about the presidential elections held on 19 December 2010 in Belarus, which were marked by a lack of independence and impartiality of the election administration, an uneven playing field and a restrictive media environment, as well as a continuous lack of transparency at key stages of the electoral process,

* The resolutions and decisions adopted by the Human Rights Council will be contained in the report of the Council on its seventeenth session (A/HRC/17/2), chap. I.

Deeply concerned at the overall human rights situation in Belarus and its severe deterioration since the presidential elections of 19 December 2010, including credible allegations of torture, arbitrary detention and increasing harassment of opposition leaders, representatives of civil society, human rights defenders, lawyers, independent media, students and those defending them,

Expressing its support for regional and subregional efforts, including those of the Organization for Security and Cooperation in Europe aimed at improving the human rights situation in Belarus, and deeply regretting the decision of Belarus not to extend the mandate of the Organization's office in Minsk and the failure of the Government of Belarus to cooperate with the Organization's Moscow Mechanism,

1. *Condemns* the human rights violations occurring before, during and in the aftermath of the presidential elections of 19 December 2010, including the use of violence against, arbitrary arrest, detention and the politically motivated conviction of opposition candidates, their supporters, journalists and human rights defenders, as well as the abuses of due process rights, including the right to a fair trial for those involved in the demonstrations of 19 December;

2. *Urges* the Government of Belarus:

(a) To end politically motivated persecution and harassment of opposition leaders, representatives of civil society, human rights defenders, lawyers, independent media, students and those defending them;

(b) To comply with international standards for due process and fair trial;

(c) To release and rehabilitate all political prisoners, including those detained in connection with the demonstrations of 19 December 2010;

(d) To conduct a thorough, credible, impartial and transparent investigation into the allegations of the disproportionate use of force and violations of human rights, including the use of torture and ill-treatment of detainees in connection with the events of 19 December 2010;

(e) To respect freedom of expression and freedom of association and peaceful assembly, and to bring its relevant legislation into line with its international obligations under human rights law;

(f) To implement its commitments made with the Organization for Security and Cooperation in Europe, and to allow a meaningful presence of the Organization in Belarus;

(g) To allow international monitors and to cease the detention and expulsion of international monitors from the country;

3. *Requests* the United Nations High Commissioner for Human Rights to monitor the human rights situation in Belarus and to present to the Human Rights Council, in an interactive dialogue to be held at its eighteenth session, an oral report thereon, including on alleged human rights violations committed in Belarus following the presidential election of 19 December 2010;

4. *Also requests* the High Commissioner to present to the Human Rights Council, in an interactive dialogue to be held at its twentieth session, a comprehensive report on the human rights situation in Belarus;

5. *Encourages* relevant thematic special procedures mandate holders, in particular the special rapporteurs on the promotion and protection of the right to freedom of opinion and expression, on the situation of human rights defenders, on the independence of judges and lawyers, on torture and other cruel, inhuman or degrading treatment or punishment, on the rights to freedom of peaceful assembly and of association, the Working

Group on Enforced or Involuntary Disappearances as well as the Working Group on Arbitrary Detention, within their respective mandates, to pay particular attention to the human rights situation in Belarus and to contribute to the report of the High Commissioner with recommendations on how to redress the human rights situation in Belarus, to be presented to the Human Rights Council at its twentieth session;

6. *Calls upon* the Government of Belarus to cooperate fully with all mechanisms of the Human Rights Council, the Office of the High Commissioner and human rights treaty bodies, to permit access to visit the country and to provide all necessary information;

7. *Decides*, on the basis of the report of the High Commissioner to be presented to the Human Rights Council at its twentieth session, to consider further appropriate steps to be taken.

*35th meeting
17 June 2011*

[Adopted by a recorded vote of 21 to 5, with 19 abstentions. The voting was as follows:

In favour:

Argentina, Belgium, Brazil, Chile, France, Gabon, Hungary, Japan, Jordan, Maldives, Mauritius, Norway, Poland, Republic of Korea, Slovakia, Spain, Switzerland, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Zambia

Against:

China, Cuba, Ecuador, Nigeria, Russian Federation

Abstaining:

Angola, Bahrain, Bangladesh, Burkina Faso, Cameroon, Djibouti, Ghana, Guatemala, Kyrgyzstan, Malaysia, Mauritania, Mexico, Pakistan, Qatar, Republic of Moldova, Saudi Arabia, Senegal, Thailand, Uganda]
