

**Human Rights Council  
Seventeenth session**

Item 4

17/..

**Situation of human rights in Belarus**

*The Human Rights Council,*

*Pp1 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, (*pp1, 2007 GA res 61/175*)

*Pp2 Reaffirming* that all States have an obligation to promote and protect human rights and fundamental freedoms and to fulfil their international obligations, (*pp2, 2007 GA res 61/175*)

*Pp3 Taking note of* the participation by the Government of Belarus in the universal periodic review in May 2010 as the State under review, acknowledging in this regard its support to a high number of recommendations, and stressing the need for their full implementation in cooperation with the Office of the High Commissioner for Human Rights,

*Pp4 Concerned* about the 19 December 2010 presidential elections in Belarus that 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, (*based on ODIHR final report*)

*Pp5 Deeply concerned* at the overall human rights situation in Belarus and its severe deterioration since the 19 December 2010 presidential elections, including credible allegations of torture, arbitrary detentions and increasing harassment of opposition leaders, representatives of civil society, human rights defenders, independent media, students and those defending them,

*Pp6 Supporting* efforts of regional organizations, including the Organization for Security and Co-operation in Europe (OSCE), aimed at improving the human rights situation in Belarus, and *deeply regretting* the decision of Belarus not to extend the mandate of the OSCE Office in Minsk and the failure of the Government of Belarus to cooperate fully with the OSCE Moscow Mechanism,

1. *Condemns* the human rights violations occurring before, during and in the aftermath of the 19 December 2010 presidential elections, including the use of force 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 and fair trials for those involved in the 19 December demonstrations;
2. *Urges* the Government of Belarus to:
  - a) end politically motivated persecution and harassment of opposition leaders, representatives of civil society, human rights defenders, independent media, students and those defending them;
  - b) comply with international standards for due process and fair trial;

- c) release and rehabilitate all political prisoners, including those detained in connection with the 19 December 2010 demonstrations;
  - d) conduct a thorough, credible, impartial and transparent investigation in accordance with international standards into the use of force on 19 December 2010, and into allegations of torture and ill-treatment of detainees;
  - e) respect freedom of expression and freedom of association and peaceful assembly, and bring its relevant legislation in line with its international obligations under human rights law;
  - f) comply with its OSCE commitments, as well as allow a meaningful presence of the OSCE in Belarus;
  - g) allow international monitors and cease the detention and expulsion of international monitors from the country;
3. *Insists* that the Government of Belarus cooperates fully with all the mechanisms of the Human Rights Council, with the Office of the High Commissioner for Human Rights and with the human rights treaty bodies;
  4. *Decides* to appoint a Special Rapporteur, to establish direct contacts with the Government and with the people of Belarus, with a view to closely monitor and provide recommendations on the human rights situation in Belarus, and to submit a report to the Council for its consideration at its twentieth session;
  5. *Calls upon* the Government of Belarus to cooperate fully with the Special Rapporteur and to permit access to visit the country as well as all information necessary to allow the fulfilment of the mandate;
  6. Requests the Office of the High Commissioner to provide the Special Rapporteur with all necessary assistance and resources to enable him/her to discharge his/her mandate fully;
  7. *Decides* to consider this question at its twentieth session, under the same agenda item.