



General Assembly

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Human Rights Council

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Agenda item 1

Organizational and procedural matters

Austria, Belgium,* Bulgaria, Croatia,* Cyprus,* Czechia, Denmark, Estonia,* Finland,* France,* Germany, Greece,* Hungary,* Ireland,* Italy, Latvia,* Liechtenstein,* Lithuania,* Luxembourg,* Malta,* Monaco,* Netherlands, Norway,* Poland, Portugal,* Romania,* San Marino,* Slovakia, Slovenia,* Spain, Sweden* and Ukraine: draft resolution

45/... Situation of human rights in Belarus in the run-up to the 2020 presidential election and in its aftermath

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,

Having held an urgent debate at its current session to discuss the situation of human rights in Belarus in the run-up to the 2020 presidential election and in its aftermath,

Recalling all resolutions adopted by the Commission on Human Rights, the General Assembly and the Human Rights Council on the situation of human rights in Belarus, including Council resolution 44/19 of 17 July 2020,

Recalling also the statement made by the United Nations High Commissioner for Human Rights on 12 August 2020, the statement made by the Office of the Secretary-General on 13 August 2020, and the joint statements made by the special procedure mandate holders since the presidential election held in Belarus on 9 August 2020,

1. *Expresses deep concern* about the overall situation of human rights in Belarus and its deterioration in the run-up to the 2020 presidential election held on 9 August 2020 and in its aftermath;

2. *Regrets* that the Government of Belarus has not fulfilled its obligations with regard to the right of every citizen to vote and to be elected at genuine periodic elections which shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the will of the electors, in accordance with, inter alia, its obligations under article 25 (b) of the International Covenant on Civil and Political Rights, and also regrets the failure of Belarus to implement previous recommendations of the Office for Democratic Institutions and Human Rights of the Organization for Security and Cooperation in Europe on holding credible elections that meet international standards and its non-cooperation in issuing a timely invitation, which precluded the deployment of a mission by that Office to observe the recent presidential election;

* State not a member of the Human Rights Council.



3. *Expresses serious concern* at credible allegations that human rights violations were committed in Belarus in the run-up to the 2020 presidential election and in its aftermath, including numerous acts of torture; enforced disappearance; abduction and arbitrary expulsion; arbitrary detention, including of minors; sexual and gender-based violence; arbitrary deprivation of life; attacks against and harassment, intimidation and detention of members of the political opposition, including members of the Coordination Council, as well as the politically motivated arbitrary expulsion from the territory of Belarus of members of the Coordination Council, human rights defenders, civil society representatives, journalists and other media workers and people seeking to peacefully exercise their civil and political rights; denial of the right to freedom of peaceful assembly; and denial of the right to freedom of opinion and expression, online and offline, including through attacks on the media by revoking foreign media workers' accreditations, blocking independent media websites and shutting down the Internet;

4. *Expresses particular concern* at the credible allegations of numerous acts of torture and other cruel, inhuman or degrading treatment or punishment by law enforcement and prison officers, including in prisons and detention centres, which urgently require an independent investigation, and regrets that, despite being a State party to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, Belarus has not complied with its obligations under that treaty;

5. *Calls upon* the Belarusian authorities to cease using excessive force against peaceful demonstrators, including torture and other cruel, inhuman or degrading treatment or punishment and enforced disappearance, and to stop carrying out arbitrary arrests and detentions on political grounds, and urges the Belarusian authorities to immediately release all political prisoners, journalists, human rights defenders, members of strike committees, students and those detained in the lead-up to, during and after the presidential election for exercising their human rights and fundamental freedoms;

6. *Also calls upon* the Belarusian authorities to enter into a dialogue with the political opposition, including the Coordination Council and civil society, in order to guarantee respect for human rights law, including civil and political rights;

7. *Recognizes* the important role played by civil society, including human rights defenders, in continuing to carry out essential human rights work, including by documenting and monitoring, in challenging circumstances, allegations of human rights violations prior to, during and after the election;

8. *Urges* the Belarusian authorities to fulfil their obligations under international human rights law, in particular with regard to freedom of peaceful assembly and association, the prohibition of torture and other forms of ill-treatment, and freedom of opinion and expression, both online and offline, including its obligations related to freedom of the media and freedom of information;

9. *Also urges* the Belarusian authorities to enable independent, transparent and impartial investigations into all human rights violations allegedly committed in the context of the election, including allegations of torture and other cruel, inhuman or degrading treatment or punishment of detainees and protesters and of enforced disappearance, and to guarantee that victims have access to justice and redress and that perpetrators are held fully accountable;

10. *Urges* Belarus to cooperate fully with the Special Rapporteur on the situation of human rights in Belarus, in particular by granting her free, full and unhindered access to the territory of the country, including unhindered access to all places of detention, and to extend full cooperation to the thematic special procedures of the Human Rights Council;

11. *Requests* the United Nations High Commissioner for Human Rights to monitor closely the situation of human rights in Belarus in the context of the 2020 presidential election, to present to the Human Rights Council, before the end of 2020, an interim oral update on that situation, with recommendations, to be followed by an interactive dialogue, and to submit a comprehensive written report on the situation of human rights in Belarus in the lead-up to, during and after the 2020 presidential election during an enhanced interactive dialogue at the forty-sixth session of the Council.