



GROUP OF INDEPENDENT EXPERTS ON THE HUMAN RIGHTS SITUATION IN BELARUS

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Statement by the Group of Independent Experts on Belarus

To be delivered by: Karinna Moskalenko, Chair of the Group of Independent Experts on Belarus

**Mr. President,
Distinguished Delegates,**

On behalf of the newly created Group of Independent Experts on Belarus, I am grateful for the opportunity to present the Human Rights Council with the oral update it requested in its resolution 55/27 on the human rights situation in Belarus.

In March 2024, the Human Rights Council provided the Group with a comprehensive mandate that combines investigation and fact-finding, evidence preservation, stakeholder engagement and recommendations to pursue avenues for accountability for the human rights violations and related crimes, committed on the territory of Belarus since May 2020.

We will conduct our own investigation independently and separately from the Office of the High Commissioner for Human Rights and other Human Rights Council mandated bodies. While acknowledging that we are a human rights investigation, in line with our enhanced accountability mandate, we will also develop methodologies aimed at ensuring that information and evidence collected and preserved will be done in a manner which maximises the possibility of their admissibility in legal proceedings.

We are guided by the principle of objectivity and impartiality. It is in this spirit that we will engage, in good faith, with the Government of Belarus, including to access its territory. We remain hopeful for a positive response to our request for access and reiterate our call to the Government of Belarus to cooperate fully with our investigation.

Mr President,

Let me now turn to the most recent developments pertaining to the human rights situation in Belarus.

Violations of human rights law of relevance to our mandate have been committed in Belarus since May 2020. They include arbitrary deprivation of the right to life and to liberty, torture and ill-treatment, including sexual and gender-based violence, denial of the rights to due process and to a fair trial, arbitrary denial of the right to enter one's own country, violations of the rights to freedom of expression, peaceful assembly and association and to equal protection of the law. While sexual and gender-based violence is

underreported, there is credible information that some women and men in detention have been threatened with rape and subjected to forced nudity and cavity searches.

President Alexander Lukashenko recently pardoned dozens of people who had been convicted for participating in the 2020 protests. While we welcome the announced release of these individuals, we also note that they represent only a small fraction of those who have been arrested. We urge the Government of Belarus to take immediate and concrete measures to promptly release *all* those arbitrarily detained on politically motivated charges, cease the judicial harassment of victims and their families, and provide them with redress, truth, justice and reparations.

Despite the announced release of those prisoners by the Government, measures of repression and intimidation aimed at suppressing dissent continue unabated in Belarus, particularly in the lead-up to the Presidential election scheduled in 2025.

We continue to observe a misuse of national security and criminal laws to silence any dissent. Individuals perceived as political opponents continue to be charged and arrested under the Criminal Code, for exercising their legitimate rights to freedom of expression and association. Detentions continue under administrative and criminal charges. Torture and ill-treatment also remain widely used by law enforcement agents against individuals who were arrested in relation to their participation in the 2020 protests.

Belarusians forced into exile continue to be harassed, including through trials in absentia, the seizing of their assets and properties and acts of intimidation against their relatives who remain in Belarus. We are also increasingly concerned about the targeting of Belarusians in exile for organizing or participating in peaceful demonstrations or sit-ins abroad. In May 2024, the Investigative Committee charged exiled Belarusians with vague extremism-related offences that do not comply with international human rights standards, for marking the Belarusian Independence Day in various cities abroad on 25 March 2024.

Fair trial rights are systematically violated. Our investigation established a pattern of instrumentalization of the judicial system to suppress dissent. The free exercise of the legal profession also continues to be under severe threat. Punitive prosecution, convictions, disbarment and the revocation of the license of lawyers, particularly those representing prominent opposition leaders and anti-Government activists, are on the rise. Decisions about the continued practice of lawyers within the legal profession are not made by an independent entity but rather by the Ministry of Justice. This severely affects the rights of political prisoners to have a legal counsel of their own choice and a genuine defence.

The Government continues to instil a pervasive climate of fear by quelling all avenues of dissent, including in the digital space. New electronic intelligence equipment appears to have been pursued to increase the monitoring of online activities, ahead of the Presidential elections.

Excellencies,

President Lukashenko's government is responsible for the near-total destruction of civic space and fundamental freedoms in Belarus. With most of the opposition either imprisoned or forced into exile since the 2020 elections, the State of Belarus is creating a chilling effect on any participation in activities perceived as critical of the Government. This context suffocates any political debate as Belarus heads toward presidential elections in 2025, which we will be closely watching.

The primary responsibility and duty to investigate human rights violations lies with the State of Belarus. To date, we are not aware of a single case where perpetrators have been held accountable for their possible

involvement in gross human rights violations since 2020. Instead, Belarusian authorities continue to uphold the vicious cycle of impunity prevailing in the country by silencing all forms of dissent, by criminalising those who exercise their fundamental rights to freedom of expression.

We will continue to investigate the human rights situation in Belarus and to collect information for **accountability** purposes, including through universal and extra-territorial jurisdiction.

We will present a comprehensive report on our findings in March 2025.

**Уважаемые Председатель Совета, Ваши Превосходительства,
Уважаемые представители Республики Беларусь,**

Как уже отмечалось, доклад нашей Группы должен быть представлен в марте 2025 года. Наша Группа по-настоящему заинтересована в том, чтобы процесс подготовки и представления доклада отвечал высоким стандартам объективности, независимости, незаинтересованности. Этому значительно способствовало бы проведение двусторонних и даже многосторонних консультаций с тем, чтобы учесть позицию и точку зрения правительства Беларуси по всем вопросам. Для достижения этой цели мы настоятельно рекомендуем белорусским властям не уклоняться от сотрудничества с нашим мандатом.

Мы убеждены, что такой взвешенный и сбалансированный подход будет в интересах Беларуси, всех государств-членов ООН и поможет установлению обстановки доверия и понимания в Совете по правам человека.

I thank you for your attention.