

Re: Civil society organizations call on the United Nations Human Rights Council to convene a Special Session to address human rights violations committed in the lead-up, during and after the August 2020 Presidential elections in Belarus.

26 August 2020

Excellencies,

We, the undersigned Belarusian and international non-governmental organisations, write to you to express our utmost concern and call on you to urgently convene a Special Session of the United Nations Human Rights Council to address the Belarus government's crackdown on peaceful demonstrators and other ongoing, widespread violations of human rights, including arbitrary arrests, prosecutions under trumped-up charges, and torture and other ill-treatment, in relation to the 2020 presidential elections. We further call on the Council to adopt a resolution requesting the UN High Commissioner for Human Rights to monitor and report on human rights abuses and to establish the facts and circumstances of such abuses, with a view to ensuring full accountability.

A Special Session is the right response from the Human Rights Council to the developing situation in Belarus for the following reasons:

1. Belarus has been the subject of HRC scrutiny for over ten years, including through the mandate of the Special Rapporteur on Belarus, who has never been allowed to visit the country;
2. Belarus has been warned by the HRC over the last twelve months, including in its most recent resolution at the 44th session (Resolution 44/19), that it should take preventative measures to avoid widespread human rights violations in the context of its Presidential election. Belarus chose to ignore these warnings;
3. There has since been a significant deterioration in the human rights situation in the country, unprecedented in its post-independence history;
4. A Special Session would help to address this situation in a timely fashion, with the gravity commensurate to the situation; and
5. It would also allow the HRC to ensure its preventative mandate is being fulfilled, as there are significant and well-founded fears that the situation in Belarus will deteriorate even further.

Description of Violations of Human Rights in Connection with the 2020 Elections

The 2020 Presidential election period in Belarus has been marked by an unprecedented level of protest activity, and an equally unprecedented brutal crackdown on human rights by the authorities. From May 2020 until the August 9 election day, the authorities have [arbitrarily detained over 1,300 individuals](#), including presidential candidates, human rights defenders, and activists and journalists, for exercising their fundamental freedoms including exercising the rights to freedom of peaceful assembly and expression to campaign during the election and contest its outcome. Most have been released, but dozens remain behind bars on bogus criminal charges.

Immediately after the announcement of the preliminary results of the August 9 elections, which gave the incumbent President Alexandr Lukashenko over 80 % of the vote, tens of thousands took to the streets throughout Belarus to protest against widely alleged election fraud. The riot police responded with disproportionate use of force, including less-lethal weapons, dispersing peaceful protesters with rubber batons, stun grenades, rubber bullets, tear gas and water cannons, resulting in injuries to hundreds of individuals and multiple confirmed deaths.

Within a span of three nights of protests following the elections, which the European Union has called '[falsified](#)' and [neither free nor fair](#), the Belarus authorities have additionally detained up to 7,000 individuals, the vast majority of whom were simply taking part in or observing peaceful protests. Specifically targeted were at least 50 journalists, some of whom were beaten and arbitrarily detained while performing their professional duty.

Some of our organisations have documented cases of arbitrary arrests of protesters carried out by the authorities in what seems to be a strategy to punish and intimidate people participating in the peaceful protest actions and peacefully contesting the official results of the elections.

To date, according to Viasna Human Rights Center, at least 450 detainees have reported being tortured or otherwise ill-treated while held in incommunicado detention for up to 10 days, including through severe beatings, being forced to perform humiliating acts, and through threats of rape and other forms of violence.

In addition, the Investigative Committee of Belarus has initiated at least 21 criminal cases against over 80 individuals who were detained during the protests on bogus charges of participating in mass disturbances (art. 293 of the Criminal Code), resistance and violence or a threat of violence against an Interior Ministry official (art. 363, 364 of the Criminal Code), violence or a threat of violence against an Interior Ministry official (art. 364 of the Criminal Code), hooliganism (art. 339 of the Criminal Code), and organisation of or participation in the actions violating public order (art. 342 of the Criminal Code). In the run-up to the elections, 27 activists, political figures — including two main candidates from the opposition, Siarhei Tsikhanouski and Victor Babariko — and their supporters, have been arrested on trumped up charges. Local human rights groups consider all 27 to be political prisoners, and Amnesty International has recognized these individuals as prisoners of conscience.

Reiterating the calls of the [UN High Commissioner](#) for Human Rights and [UN Special Procedures mandate holders](#), we urge the immediate release of persons detained arbitrarily, independent investigations into all allegations of human rights violations and abuses, and access to justice and redress for victims.

Urgent international action is needed to prevent further violence and ensure accountability

The ongoing events in Belarus demonstrate the authorities' determination to suppress all forms of dissent and free expression of the people of Belarus, including through mass violence. The disproportionate attacks against demonstrators, mass arbitrary arrests, prosecutions and ill-treatment of peaceful protesters demand a strong international response.

Considering the gravity of the violations, the alarming degradation in the situation, and the importance of acting swiftly to prevent further serious violations, the undersigned Belarusian and international organisations call on the Human Rights Council to urgently convene a Special Session on the human rights situation in Belarus, to use the tools at its disposal to uncover the facts and circumstances surrounding human rights violations and abuses, and

deter the Belarus government's further crackdown on human rights and ensure accountability, in line with its obligations under the UN human rights treaties to which it is a party.

At this Special Session, the Council should adopt a resolution requesting the UN High Commissioner for Human Rights to monitor and report on human rights violations and abuses of international human rights law committed in the lead-up, during and after the Presidential elections in Belarus, and to establish the facts and circumstances of such violations and abuses, with a view to ensuring full accountability. The resolution should also request the High Commissioner to work with relevant Special Procedures mandate holders, including the Special Rapporteur on Belarus, in the execution of this mandate. The resolution should request the High Commissioner to present an oral update during an interactive dialogue at an intersessional briefing by the end of 2020, and a final written report during an interactive dialogue, with the participation of the Special Rapporteur on the situation of Human Rights in Belarus, at the 46th session of the Human Rights Council in March 2021, to be shared with the UN General Assembly and all relevant United Nations bodies.

Signatures:

Amnesty International

Article 19

Assembly of Pro-Democratic NGOs of Belarus

Barys Zvozkau Belarusian Human Rights House

Belarusian Association of Journalists

Belarusian Helsinki Committee

Civil Rights Defenders

Expert legal partnership 'Initiative FORB'

Human Constanta

Human Rights House Foundation

Human Rights Watch

International Federation for Human Rights (FIDH)

La Strada International

Legal Initiative

Legal Transformation center (Lawtrend)

Viasna Human Rights Center

World Organisation Against Torture (OMCT)