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STATEMENT BY MR. NILS MUIŽNIEKS

SPECIAL RAPPORTEUR ON THE SITUATION OF HUMAN RIGHTS IN BELARUS

Agenda item 4: Human rights situations that require the Council's attention

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Mr. President, Excellencies, Distinguished Delegates, Ladies and Gentlemen,

This is my first address to the Council in my capacity as Special Rapporteur on the Situation of Human Rights in Belarus. In addition to the usual annual overview of developments, the report I am presenting today draws your attention to the situation of human rights in and around the presidential elections held on 26 January 2025.Over the reporting period, the overall human rights situation continued to deteriorate with new forms of repression added to old, familiar forms of repression reported on by my predecessors.

The most worrying trend which has continued is political persecution of people for the legitimate and peaceful exercise of their civil and political rights. Ever since the 2020 elections and the ensuing mass protests against election fraud, the authorities have regularly targeted critics and any real, perceived or potential opposition to the government through both criminal and administrative proceedings in unfair trials. The authorities have done this by abusing highly problematic counter-terrorism and anti-extremism legislation, as well as other legislation, such as that prohibiting insulting the President or other public officials.

As a result, Belarus has a large number of people behind bars who should not be there, including opposition politicians, human rights defenders, journalists, independent trade union activists, environmental defenders and lawyers. Human rights defenders call them "political prisoners" and, at the end of the reporting period, counted about 1200 such prisoners in the country. If these figures are even close to being accurate, Belarus probably has the most political prisoners per capita in the world.

A new development since July 2024 has been several waves of presidential pardons affecting over 200 persons. The latest pardon affecting 14 people, including former presidential candidate and husband of exile leader Sviatlana Tsihanouska, took place just last week. The overall number of people unjustly imprisoned has remained more or less steady, as repression has continued. The pardons have sometimes been accompanied by new human rights violations, including forcing people to make propaganda videos expressing remorse or forcing people to sign cooperation agreements with the Committee of State Security as a condition for their release.

Those who remain in detention face terrible conditions and often brutal treatment, which sometimes has lethal consequences. Deaths in custody or soon after release continued to take place. The report mentions two such cases, but I recently addressed the authorities regarding other cases. I received many reports, including first hand testimony, about inhuman conditions of detention and intentional ill-treatment of prisoners. Women are the targets of gender-specific ill treatment, including strip searches by male staff even during menstrual periods, denial of hygiene products, lack of proper gynaecological care, and restrictions on communication between mothers and children.

I must stress a particular form of ill treatment - incommunicado detention, which affects many prisoners convicted in relation to the protests of 2020. At least eight have been held incommunicado for over one year and several for over two years. Another group of persons held incommunicado are those who have been transferred for compulsory psychiatric treatment as a result of their criminal prosecution on politically motivated charges. During the reporting period, I received credible information about 33 persons affected by this practice, which recalls Soviet abuse of psychiatry for political persecution.

Another form of ill treatment is arbitrary extensions of prison terms for alleged "malicious disobedience" to penitentiary authorities. Imagine - you have almost served your full prison sentence, which was unjustly imposed on you for exercising your human rights; you have suffered awful conditions and ill treatment; you are about to be released, when the authorities inform you that your sentence has been extended by another year! A number of prisoners have had their sentences arbitrarily extended not once, but twice or even three times. Here, I would like to mention Viktoria Kulsha, an activist who has had her sentence extended three times and is being investigated under the same provision for the fourth.

My predecessor noted in one of her reports that elections have been catalysts for human rights violations in Belarus. This has held true during my mandate as well - the closer the elections, the greater the repression. As the presidential election approached, persecution intensified of family members of those recognized as political prisoners and of people who have sought to assist those prisoners by sending letters, transferring money or aid packages. As the elections approached, the authorities increasingly resorted to a new form of transnational repression - trials in absentia against Belarusian citizens living abroad, especially of exile politicians, human rights defenders, journalists, and activists. The authorities not only go after people who have fled abroad, they are increasingly confiscating their property in Belarus as well.

I have tried to cooperate with the Belarusian authorities, but they have ignored my requests for a visit. I have tried to communicate with them by addressing many communications to them, but their responses are almost always formalistic and uninformative, recalling their legislation, but providing no information on individual cases. Since I took up my mandate about seven months ago, I have systematically tried to engage other special mandate holders in my communications with the Belarusian authorities so as to preempt accusations of bias and selectivity. Thus, letters or statements I have initiated regarding Belarus have been co-signed by members of three different working groups, one independent expert and 10 other special rapporteurs. Many of my colleagues have joined in signing such communications repeatedly - and I thank them for their cooperation.

The human rights situation in Belarus remains dire with no signs of progress or improvement since the end of the reporting period. I am already gathering information for my report to the General Assembly, which will cover much of the ground covered in this report to the Human Rights Council, but will also look at human rights in labour and employment in Belarus, including the use of forced labour, professional restrictions, trade union rights, and the rights of migrant labourers.

I thank you for your attention.