

Belarus

Mid-term Implementation Assessment



Promoting and strengthening
the Universal Periodic Review
<http://www.upr-info.org>



Introduction

1. Purpose of the follow-up programme

The second and subsequent cycles of the review should focus on, inter alia, the implementation of the accepted recommendations and the development of the human rights situation in the State under review.

A/HRC/RES/16/21, 12 April 2011 (Annex I C § 6)

The Universal Periodic Review (UPR) process takes place every four and half years; however, some recommendations can be implemented immediately. In order to reduce this interval, we have created an update process to evaluate the human rights situation two years after the examination at the UPR.

Broadly speaking, *UPR Info* seeks to ensure the respect of commitments made in the UPR, but also, more specifically, to give stakeholders the opportunity to share their opinion on the commitments. To this end, about two years after the review, *UPR Info* invites States, NGOs, and National Institutions for Human Rights (NHRI) to share their comments on the implementation (or lack thereof) of recommendations adopted at the Human Rights Council (HRC) plenary session.

For this purpose, *UPR Info* publishes a Mid-term Implementation Assessment (MIA) including responses from each stakeholder. The MIA is meant to show how all stakeholders are disposed to follow through on, and implement their commitments. States should implement the recommendations that they have accepted, and civil society should monitor that implementation.

While the follow-up's importance has been highlighted by the HRC, no precise directives regarding the follow-up procedure have been set until now. Therefore, *UPR Info* is willing to share good practices as soon as possible, and to strengthen the collaboration pattern between States and stakeholders. Unless the UPR's follow-up is seriously considered, the UPR mechanism as a whole could be adversely affected.

The methodology used by UPR Info to collect data and to calculate index is described at the end of this document.

Geneva, 11 June 2013



Follow-up Outcomes

1. Sources and results

All data are available at the following address:

<http://followup.upr-info.org/index/country/belarus>

We invite the reader to consult that webpage since all recommendations, all stakeholders' reports, as well as the unedited comments can be found at the same internet address.

26 stakeholders' reports were submitted for the UPR. 22 NGOs were contacted. 2 UN agencies were contacted. The Permanent Mission to the UN was contacted. No National Human Rights Institution (NHRI) does exist.

11 NGOs responded to our enquiry. No UN agency did respond. The State under Review provided a mid-term report, but unfortunately in Russian; it can be [downloaded on our website](#). As far as *UPR Info* knows, no translation is planned. In a [document dated of 21 September 2012](#), Belarus claims to have implemented "over 70 per cent of the recommendations accepted as a result of the first UPR cycle".

The following stakeholders took part in the report:

1. **NGOs:** (1) Assembly of Pro-Democratic NGOs of Belarus (APNB) (2) Belarusian Association of Assistance to Children and Young People with Disabilities (BelAPDliMI) (3) Forum 18 (F18) (4) Gay Belarus (GB) (5) Global Initiative to End All Corporal Punishment of Children (GIEACPC) (6) IPA 'Gender perspectives' (IPAGP) (7) International Lesbian and Gay Association - Europe (ILGAE) (8) International Publishers' Association (IPA) (9) Legal Transformation Center, Office for the Rights of People with Disabilities, Human Rights Defenders Against Torture (joint) (10) Reporters sans Frontières (RSF) (11) Tandem Project (TP)

IRI: 75 recommendations are not implemented, 16 recommendations are partially implemented, and 1 recommendations are fully implemented. No answer was received for 74 out of 169 recommendations and voluntary pledges (full list of unanswered recommendations is available at the end of this document).



2. Index

Hereby the issues which the MIA deals with:

rec. n°	Rec. State	Issue	IRI	page
1	Algeria	NHRI	not impl.	page 51
2	Algeria	Disabilities, International instruments	partially impl.	page 34
4	Algeria	Trafficking	partially impl.	page 42
5	Armenia	Technical assistance	not impl.	page 51
6	Armenia	Rights of the Child, Trafficking, Women's rights	partially impl.	page 47
7	Austria	Death penalty, International instruments	not impl.	page 35
8	Austria	Justice, Torture and other CID treatment	not impl.	page 42
12	Austria	Human rights violations by state agents, Minorities, Right to education	not impl.	page 34
15	Bangladesh	ESC rights - general	not impl.	page 32
16	Bangladesh	Rights of the Child	partially impl.	page 47
20	Belgium	Civil society, Freedom of association and peaceful assembly, Freedom of opinion and expression, Labour	not impl.	page 7
21	Belgium	Freedom of the press	not impl.	page 10
22	Bhutan	Labour, Women's rights	partially impl.	page 48
23	Bhutan	Human rights education and training, Trafficking	partially impl.	page 42
24	Bhutan	Human rights education and training	not impl.	page 33
26	Bolivia	Civil society	partially impl.	page 11
30	Brazil	Death penalty	not impl.	page 37
31	Brazil	Rights of the Child, Torture and other CID treatment	not impl.	page 48
32	Brazil	Disabilities, International instruments	not impl.	page 35
33	Brazil	International instruments, Torture and other CID treatment	not impl.	page 37
34	Brazil	Death penalty, International instruments	not impl.	page 36
37	Canada	Women's rights	partially impl.	page 49
39	Canada	Civil society	not impl.	page 12
40	Canada	Freedom of the press	not impl.	page 14
41	Canada	Freedom of the press	not impl.	page 14
42	Canada	Freedom of opinion and expression, Freedom of the press	not impl.	page 14
44	Canada	Freedom of association and peaceful assembly	not impl.	page 15
47	Cuba	ESC rights - general	not impl.	page 32
48	Cuba	Rights of the Child	partially impl.	page 49
49	Czech Republic	International instruments, Torture and other CID treatment	not impl.	page 37
51	Czech Republic	Freedom of association and peaceful assembly, Freedom of the press	partially impl.	page 18
52	Czech Republic	Death penalty, International instruments	not impl.	page 36
53	Czech Republic	International instruments, Torture and other CID treatment	not impl.	page 38
54	Czech Republic	Detention conditions	not impl.	page 42



rec. n°	Rec. State	Issue	IRI	page
55	Czech Republic	Freedom of association and peaceful assembly, Freedom of opinion and expression, International instruments	not impl.	page 26
57	Djibouti	International instruments	partially impl.	page 45
62	Egypt	NHRI	not impl.	page 52
65	Egypt	Treaty bodies	not impl.	page 39
66	Finland	Death penalty, International instruments	not impl.	page 36
68	France	Civil society, Elections, Freedom of association and peaceful assembly, Freedom of opinion and expression, Freedom of the press	not impl.	page 18
69	France	Death penalty	not impl.	page 37
71	France	Enforced disappearances, Extrajudicial executions, Human rights violations by state agents, Torture and other CID treatment	not impl.	page 45
74	Hungary	Freedom of opinion and expression, Human rights defenders, Special procedures, Torture and other CID treatment	not impl.	page 39
75	Hungary	Death penalty	not impl.	page 37
76	Hungary	Treaty bodies	not impl.	page 39
78	Indonesia	Civil society	not impl.	page 19
82	Iran	Freedom of religion and belief	not impl.	page 21
83	Iraq	International instruments, Torture and other CID treatment	not impl.	page 37
87	Ireland	Death penalty	not impl.	page 37
88	Ireland	Civil society	not impl.	page 12
90	Israel	Civil society, Freedom of association and peaceful assembly, Freedom of opinion and expression, Human rights defenders	not impl.	page 21
91	Israel	Enforced disappearances, Extrajudicial executions, Human rights violations by state agents, International instruments, Torture and other CID treatment	not impl.	page 45
92	Italy	Death penalty	not impl.	page 37
94	Italy	Death penalty, International instruments	not impl.	page 36
96	Kazakhstan	Trafficking	partially impl.	page 45
100	Libya	Freedom of religion and belief, Freedom of the press, Human rights education and training, Minorities	-	page 52
104	Lithuania	Civil society	not impl.	page 12
106	Lithuania	Freedom of opinion and expression, Freedom of the press	not impl.	page 22
107	Lithuania	Special procedures, Treaty bodies	not impl.	page 40
108	Lithuania	Death penalty	not impl.	page 38
110	Malaysia	Civil society, Right to education, Right to health, Women's rights	partially impl.	page 25
111	Malaysia	NHRI	not impl.	page 52
114	Morocco	Human rights education and training	not impl.	page 33
116	Netherlands	Freedom of the press	not impl.	page 22
117	Netherlands	Civil society, Freedom of association and peaceful assembly, Freedom of opinion and expression, Human rights defenders, International instruments	not impl.	page 26
118	Netherlands	Death penalty	not impl.	page 38



rec. n°	Rec. State	Issue	IRI	page
121	Nicaragua	Special procedures, Treaty bodies	not impl.	page 40
122	Norway	Death penalty	not impl.	page 38
123	Norway	Civil society, Freedom of association and peaceful assembly, UPR process	not impl.	page 23
125	Norway	Special procedures, Treaty bodies	not impl.	page 40
126	Norway	Justice	-	page 46
127	Norway	Freedom of opinion and expression	not impl.	page 23
129	Oman	Freedom of religion and belief	not impl.	page 24
130	Oman	National plan of action, Rights of the Child	fully impl.	page 50
131	Oman	Civil society	partially impl.	page 25
132	Palestine	Women's rights	partially impl.	page 50
135	Palestine	Technical assistance	not impl.	page 51
137	Poland	Freedom of association and peaceful assembly, Freedom of opinion and expression, Human rights defenders, International instruments	not impl.	page 26
138	Poland	Civil society	not impl.	page 12
139	Poland	Civil society, Freedom of association and peaceful assembly, Human rights defenders, Labour	not impl.	page 28
142	Singapore	Trafficking	-	page 46
143	Spain	Civil society, Freedom of association and peaceful assembly	not impl.	page 12
144	Spain	Death penalty, International instruments	not impl.	page 36
145	Spain	Special procedures	not impl.	page 41
146	Spain	Detention conditions, Freedom of the press, Human rights defenders, Torture and other CID treatment	not impl.	page 47
147	Spain	Treaty bodies	not impl.	page 39
148	Spain	Disabilities, International instruments	not impl.	page 35
150	Spain	International instruments, Torture and other CID treatment	not impl.	page 38
151	Spain	Disabilities, International instruments	not impl.	page 35
155	Switzerland	Civil society, Freedom of association and peaceful assembly	not impl.	page 12
156	Switzerland	Civil society, Freedom of association and peaceful assembly, Freedom of opinion and expression, Freedom of the press, Human rights defenders, Labour	not impl.	page 29
157	Switzerland	Death penalty	not impl.	page 38
158	Switzerland	International instruments, Torture and other CID treatment	not impl.	page 38
159	Switzerland	CP rights - general, International instruments, Special procedures, Torture and other CID treatment	partially impl.	page 41
165	Tajikistan	Freedom of religion and belief	not impl.	page 31

3. Feedbacks on recommendations

CP Rights

Recommendation n°20: *Take the necessary measures to ensure freedom of expression and association of everyone and, specifically simplify the registration procedure for public associations, including nongovernmental organizations, political parties and trade unions - remove the prohibition against any activity by non-registered associations - and abolish article 193-1 of the Constitution, which criminalizes the carrying out of an activity within such a non-registered organization (Recommended by Belgium)*

IRI: *not implemented*

Reporters sans Frontières (RSF) response:

La situation de la liberté d'expression au Bélarus est préoccupante. Dans un contexte de fort durcissement du régime autocratique d'Alexandre Loukachenko, de nouvelles atteintes à la liberté de la presse ont lieu. Ces dernières visent à entraver la diffusion de toute information relative aux mouvements d'opposition dans le pays. Aucune mesure n'a été mise en place afin de lutter contre cela.

International Publishers' Association (IPA) response:

Activity by non-registered associations is still prohibited. Article 193-1 of the Constitution remains in place.

Assembly of Pro-Democratic NGOs of Belarus (APNB) response:

Was not accomplished. In 2011-2012 opportunities for the realization of the freedom of association haven't broadened in Belarus. Despite introduction of some positive legal acts, no significant changes have been fixed at the level of legal regulation, the position of nongovernmental organizations (NGOs) did not worsen nor improved. In Belarus registration of NGOs remains an authorization-based procedure, which de facto allows the authorities to deny registration to any new public association or foundation. Article 193.1, which establishes the criminal penalty (imprisonment) for conducting activities on behalf of unregistered NGOs, political parties, foundations and religious organizations was not abolished. At the level of the legal enforcement practices previous negative tendencies remain valid and their intensity hasn't changed.

In 2011-2012, the following events and tendencies have been significant:

- The article on state social order, worked out with the participation of the public, which allows the state to purchase Non-Commercial Organizations (NCO) services, has been included into the Law "On social service". State social order is defined as a mechanism of drawing legal entities and individual entrepreneurs on a competitive basis in the activity on rendering social services and/or implementation of social



projects for the purpose of improvement of availability and quality of social services for citizens. This new act was introduced into the legislation as a result of continuous consultations with civil society organizations and came into force on January 1, 2013.

- The draft law on alteration of the laws of the Republic of Belarus “On public associations” and “On political parties” has been published in 2012 and can be possibly adopted in 2013. In respect of public associations it mitigates some conditions regarding requirements for registration of public associations, but it doesn’t change the essence of the registration procedure which remains authorization-based, with opportunities for arbitrary refusal of registration. The draft law stipulates introduction of some positive technical norms into the legislation on public associations and political parties, for example, a graphic picture of organizational structures is excluded from the list of documents, required for the registration of a public association. The draft law reduces the number of founders required for registration of certain local public associations (regional, district ones).

- The practice of arbitrary refusals to register public associations remains valid, as well as the practice of endorsing institution designations. In 2011, Youth Public Association “Young Democrats”, Belarusian Union of Litvins, Union of Ukrainians of Baranavichy “Kabzar”, Cultural and Educational Public Association “Golden Lion”, Public Association “Mahilou Center for Strategic Development ‘Impulse’”, Republican Youth Public Association “Human Rights Center ‘Alternative-Plus’” (organization for defense of sexual minorities and LGBT rights), International Cultural and Educational Public Association “Center for Promotion of Volunteering” and other organizations were refused registration. In 2012, the Ministry of Justice without sufficient legal grounds refused registration to 19 voluntary organizations, as well as to a number of foundations (including the Vitaly Silitski Foundation). On August 17, 2012 the Ministry of Justice denied registration to the International Creative Public Association “KinoMost” because of violations of the requirements for establishment of an international public association and breach of the procedural order of execution of the documents which provide evidence of existence of the legal address of the organization being established. The vast majority of new organizations that manage to get registered belong to sport associations (e.g., among those registered in 2011, 61 newly registered NGOs are sport clubs). Other obstacles in NGO activities (including deprivation of accommodation for holding events or for offices) remain widespread, as well as restrictions in attracting funding.

- Since 2000, none of the attempts to create a new political party in Belarus was successful, no new party obtained registration. On February 14, 2012 the Ministry of Justice delivered the judgement to refuse registration to the Belarusian Christian Democracy Party. This was already the 6th refusal of registration to the BChD and the 4th refusal of registration to them as a political party. The Steering committee of the party submitted the appeal against the decision of the Ministry of Justice to the Supreme Court, but it was not upheld. In the summer 2012, the Belarusian Communist Party of Labour got the 4th refusal of registration from the Ministry of Justice.



- The Chairperson of the Human Rights Center “Viasna”, Mr. Ales Bialiatski, was sentenced to 4.5 years of custodial restraint for tax evasion. The Deputy-Chair of “Viasna”, Mr. Valiantsin Stefanovich, was held liable with civil responsibility on similar grounds; tax arrears were recovered from the funds received by the Human Rights Center as donations for assistance to the victims of political repressions. The Human Rights Center “Viasna” was closed down in 2003 by an act of the court, but its members continued their work as an unregistered organization.
- Legislative amendments that introduced new limitations in financing public associations and parties, including those that imposed criminal liability for violating the order of receiving foreign gratuitous aid (article Article 369.2 of the Criminal Code “Receiving Foreign Gratuitous Aid in Infringement of the Legislation of the Republic of Belarus”) were brought about in 2011. Violations mentioned in this article, if undertaken within a period of one year after administrative liabilities had been imposed for the same violation, shall lead to liabilities in form of a fine or an arrest for the term of up to 3 months, limitation of freedom for the term of up to 3 years or a custodial restraint for the term of up to 2 years. Amendments were also related, inter alia, to other legal conditions of work of public associations. In fact, it is now forbidden for public associations and their unions to have accounts in foreign banks (the only exception in this case is made for international public associations). This ban is analogous to the one previously in action relating to political parties and their unions.
- Repressions against political and civil activists in the aftermath of Presidential elections of December 19, 2010, actually affected work of many NGOs: as a result of numerous searches and confiscations of equipment some of them were deprived of technical bases for their activities.
- Cases of persecution of human rights defenders, members of oppositional political parties and public associations became more frequent and tough. Investigative work upon a range of criminal cases is still in action, preventive detentions are practiced and other types of pressure are exercised against parties and associations.
- Prosecutor’s notices were issued to members of unregistered religious and public associations in relation to Article 193.1 of the Criminal Code. Article 193.1 also was used against the unregistered religious communities. Notices on possibility to be held liable to criminal liabilities for participation in the work of an unregistered organization were considered by court and claimed substantiated towards Mr. Ales Bialiatski, Chairperson of the Human Rights Center “Viasna”, and Ms. Tatsiana Shambalava, member of the unregistered Belarusian Christian Democracy Party. An official notice connected with Article 193.1 was issued within the period under review by the prosecutor’s office towards a member of the Buddhist community in the Homel region for acting with an unregistered religious organization. On November 18, 2012 the KGB warned Aliaksej Tsiulkou, a member of the Belarusian Christian Democracy Party from the Asipovichy town, about possible criminal responsibility under the Article 193.1 of the Criminal Code. On October 22, 2012 Aleh Aksionau, an activist of the same party, was warned about possible criminal responsibility for activity within the framework of the unregistered party, as well as was put on a preventive register



in the KGB. Appeals against the actions of the local KGB in higher instances and in court were not successful.

- The Belarusian authorities have restricted international contacts of the Belarusian civil society, impeding NGO representatives to go abroad and foreign partners to visit Belarus.

Gay Belarus (GB) response:

No progress. In January 2013, the Ministry of Justice has refused to legally register LGBT human rights organisation “Lambda” (a new name of GayBelarus). The letter from the ministry stated “the organisation does not have in its charter any clauses on supporting social maturity and comprehensive development of the Belarusian youth”. The organisation's charter states its major activities will be linked to defending the rights of lesbians, gays, bisexuals, and transgender people. At least 60 founding members of “Lambda” have been summoned by the police for questioning in Minsk and seven other cities in January and February 2013. During the police interrogations the interviewees were asked about GayBelarus, its leader and his partner. In addition, police officers were interested in personal life and political views of the founding members themselves; some were asked about criminal cases investigated at that time and related, for example, to distribution of pornography, rape and sexual exploitation of minors. Police threatened to inform employers, colleges and parents when activists refused to collaborate. One activist from Grodno said police dragged him out of a hospital where he was undergoing treatment and took him to a police station, where he was beaten. “They hit me in the stomach with their knees, and when I fell they began to hit me on the head”, said Ihar Tsikhanyuk. He said they called him derogatory names and went through the information stored on his cellphone. Police have refused to comment on the questioning of the LGBT activists, as has the Ministry of Justice.

Recommendation n°21: Take the necessary measures, namely in the legislative field, to ensure an independent, free and diversified press (Recommended by Belgium)

IRI: not implemented

RSF response:

La presse biélorusse doit faire face à de nombreuses restrictions depuis la réélection contestée du dictateur Alexandre Loukachenko à la tête du pays, en décembre 2010. Les journaux indépendants sont les cibles privilégiées des autorités qui leurs distribuent sans conter des avertissements. De plus, en vertu de l'article 51 de la loi sur les médias de masse, à partir de trois avertissements reçus, le ministère de l'Information peut requérir la fermeture d'un média. Les deux journaux indépendants nationaux, Narodnaya Volya et Nasha Viva ont échappé de peu à cette procédure en juillet 2011. En mars 2012, des journalistes biélorusses indépendants ont été interdits de quitter le territoire et de se rendre dans un pays de l'Union Européenne. Réciproquement, plusieurs journalistes de l'UE sont interdits d'entrée sur le sol biélorusse. Ces restrictions illégales restreignent gravement l'activité professionnelle des journalistes visés et aucune mesure n'a été mise en place pour lutter contre cela.



Recommendation n°26: *Continue promoting the participation of civil society in public social policies* (Recommended by *Bolivia*)

IRI: *partially implemented*

IPA 'Gender perspectives' (IPAGP) response:

The new provisions of the Law on social services for citizens, 2012 enabled CSOs to apply for financial support to local governments for delivering social services for people in crisis life situation, what is recognised as a progressive step towards CSO sector development and support. However there are specific challenges appeared during its first implementation: state supports only social services (not educational services, medical and etc.); state covers only salaries; the co-funding (more than 50% of project costs) should be covered by a registered long-lasting project, etc.

APNB response:

Was partly accomplished (to a small extent). Participation of non-commercial organizations in the process of state decision-making is still practically unsettled at the level of legislation; mechanisms of interaction between state bodies of different levels and non-commercial organizations have not been defined. In September 2011, the Advisory Public Council of the Presidential Administration was dissolved. The Council consisted of several NGO leaders, including the Chair of the Belarusian Helsinki Committee. Public associations in most cases have no possibility to really influence state policy and the process of drafting legal acts.

In this regard, a positive innovation may be seen in the Presidential Directive #4 as of December 31, 2010, that introduces the procedure of obligatory public discussion of draft laws that may have a substantial influence onto circumstances of entrepreneurship into the working routines of republican bodies of state administration (and other state organizations under the Government of the Republic of Belarus), of regional executive committees and the Minsk City Executive Committee. This may be done, inter alia, by creating public consultative and (or) expert councils under the auspices of these state bodies with involvement of representatives of entrepreneurs, their unions and associations; through placing drafts of such laws at disposal on official web pages of the state bodies, other organizations, in the Internet global computer network and (or) in mass media. Positive practice has also been seen in development of Model Regulations on Public and Consultative (Experts) Council and discussion with broad publicity in this regard. However, this positive experience is relevant only to the associations of entrepreneurs.

A positive change in legislation that is, however, has only recently begun to be used on practice, was the introduction of the state social order concept in 2012. On June 27, 2012, The House of Representatives adopted the Law of the Republic of Belarus "On introduction of alterations and addenda to certain laws of the Republic of Belarus on the issues of social service", which has introduced the concept of the state social order in the sphere of social services into Belarusian legislation. State social order is defined as a mechanism of drawing legal entities and individual entrepreneurs on a competitive basis in the activity on rendering social services and/or implementation of social projects for the purpose of improvement of availability and quality of social services for citizens. This new provision was introduced into the legislation as a result



of continuous consultations with civil society organizations and came into force on January 1, 2013. The Government's Decree of December 27, 2012 №1219 approved Regulations on the procedure of competitive tender for execution of state social order, financed by means of granting subsidies to NGOs for rendering social services and implementation of social projects. It is determined that competitive tender is an open, public and competitive selection of executors of a state social order out of non-governmental organizations. This Decree also approved Regulations on the terms and procedure of granting subsidies to non-governmental organizations for rendering social services and implementation of social projects. It is determined that subsidies for rendering social services are granted for reimbursement of expenses relating to direct labor costs and charges on pay-roll for employees of NGOs. Introduction of the norm on the state social order could further extend funding sources for NGOs which deal with rendering social services.

Recommendation n°39: *Create a positive environment for the activities of human rights organizations and other independent non-governmental organizations, notably by eliminating obstacles to their official registration* (Recommended by Canada)

IRI: *not implemented*

+

Recommendation n°88: *That legislation in Belarus regarding the registration of non-governmental organizations be streamlined and made less burdensome* (Recommended by Ireland)

IRI: *not implemented*

+

Recommendation n°104: *Develop a favourable environment for the functioning of all non-governmental organizations and political parties, including simplifying registration procedures* (Recommended by Lithuania)

IRI: *not implemented*

+

Recommendation n°138: *Facilitate the registration of non-governmental organizations, and amend the Criminal Code, which criminalizes the activity of non-registered non-governmental organizations* (Recommended by Poland)

IRI: *not implemented*

+

Recommendation n°143: *Carry out legislative measures that permit the efficient registration, not subject to administrative discretion, of civil organizations, including political parties and unions* (Recommended by Spain)

IRI: *not implemented*

+

Recommendation n°155: *Ensure that the authorities allow and facilitate the registration of non-governmental organizations and opposition parties* (Recommended by Switzerland)

IRI: *not implemented*

Joint response:

Not implemented.

The process of creation and registration of public associations in Belarus, at the moment, is difficult, long and quite expensive.



The Belarusian legislation puts the registration of public associations in dependence on the decision of public authorities (permissive principle of registration), the legislation established a broad list for non-registration (including technical deficiencies in the documents). Unlike some commercial organizations, NGOs are not allowed to have a legal address in the place of residence of the founder (member), which is a serious obstacle to the registration of new NGOs.

Law enforcement indicates a selective approach in making decisions about the registration of a public association, depending on the composition of the founders and the nature of its activities. Since 2003, not a single human rights organization has been registered (whereas in 2003-2004 almost all human rights organizations have been eliminated). Despite a number of conclusions of the UN Human Rights Committee on violations by Belarus of Art. 22 of the ICCPR, none of them are fulfilled. Information on the number of decisions to deny registration of public associations is not available.

In case of denial in state registration the governing body of a public association may apply to the court. However, since 2001, there have been no cases in which a court upheld a complaint against the decision to deny the registration of a public association. In addition, national and international public associations have no right of appeal against the decision of a court of first instance, because for them the Supreme Court is set as a court of first instance.

APNB response:

[See response to recommendation n° 20]

Forum 18 (F18) response:

In defiance of human rights standards such as the International Covenant of Civil and Political Rights, Belarus attempts to make exercising human rights dependent on state permission through such measures such as making the unregistered exercise of freedom of religion or belief in association with others illegal. This also violates the linked freedoms of expression and assembly. Under the Religion Law, such activity can only take place "unobstructed" in state-approved houses of worship (Article 25). Yet the state obstructs acquisition of such houses of worship by disfavoured religious communities, as the case of New Life Church illustrates. Officials then use various legal tools to limit such communities. Restrictions begin from the moment a community forms. Under the Religion Law, all religious organisations must be registered with the state (Article 14). The Law is silent on those with fewer than 20 members – the minimum for registration. This creates a Catch-22 situation for a new community: it cannot publicise its existence before it has 20 committed members, but must do so in order to attract such a membership.

Fledgling communities of disfavoured faiths thus meet under threat of state reprisals, even in private homes. In January 2012 state officials warned the pastors of two such Pentecostal groups for conducting unregistered worship in villages in Brest Region. In late 2011 police raided a Jehovah's Witness house group in Mogilev Region. The state formally learns such communities exist when they attempt to register. In late



2011 police raided two Jehovah's Witness communities repeatedly denied state registration in Brest and Gomel Regions. In October 2009 police and an ideology official raided a village home in Mogilev Region, where about 20 members of a Full Gospel charismatic congregation were singing hymns. Its registration application had earlier been rejected; the KGB secret police questioned those who signed it and claimed to find some less than totally familiar with the church's beliefs.

State registration being compulsory, the Religion Law makes no provision for those who do not wish to register. This primarily concerns the Council of Churches Baptists, who believe registration leads to state interference. (They broke away from the Soviet Union's main Baptist Union in the 1960s over moves to limit evangelism and youth work.) As well as abolishing Criminal Code Article 193-1, relevant parts of the Religion Law and the Code of Administrative Offences should also be abolished, as the unregistered exercise of freedom of religion or belief is typically treated as an administrative "offence" under the Administrative Code.

GB response:

No progress. 51% of NGOs registered in 2012 were sports clubs and associations. None of human rights, gender related or democracy building groups had been registered.

Recommendation n°40: *Develop an action plan to ensure that journalists are able to conduct their work freely and without fear of retribution (Recommended by Canada)*

IRI: *not implemented*

RSF response:

Alors que la Biélorussie s'est enfoncé depuis plusieurs mois dans l'isolement politique, le régime du président Loukachenko a renforcé la répression envers les journalistes. Pour faire pression sur ces derniers, le pouvoir accorde et retire des accréditations à sa convenance. De plus, il a fréquemment recours aux arrestations abusives. Depuis 10 ans, au moins 9 personnes, dont trois journalistes, ont été condamnés à des travaux forcés ou à des peines de prison avec sursis au Belarus pour diffamation ou insulte envers le président Loukachenko.

Recommendation n°41: *Eliminate all restrictions on the ability of journalists to report on and criticize Government policy (Recommended by Canada)*

IRI: *not implemented*

RSF response:

La couverture d'événements remettant en cause le gouvernement entraîne presque systématiquement des représailles. Le journaliste russe, Vital Ruhayn, correspondant de la Radio Européenne pour la Biélorussie, a été arrêté le 25 juillet 2012 après avoir exposé sur internet une vidéo montrant des failles de sécurité dans le métro de Minsk. Il encourt une peine de trois à sept ans de prison.

Recommendation n°42: *Ensure and apply transparent and non-discriminatory decision-making processes with regard to the registration of media outlets and the accreditation of foreign journalists (Recommended by Canada)*

IRI: *not implemented*

RSF response:

La répression envers les journalistes étrangers est une pratique courante du pouvoir biélorusse. Selon le président Loukachenko, ils sont responsables de créer « la panique » à l'origine de la crise économique actuelle. Ainsi de nombreuses expulsions de journalistes étrangers ont lieu. En mars 2011, un journaliste russe Alexandre Lochmankine, fondateur du site spécialisé sur les droits de l'homme « Svoboda » a été arrêté alors qu'il s'apprêtait à couvrir une manifestation de l'opposition. Après 3 jours de prison, son accréditation a été annulée et il a dû quitter le pays. L'accréditation des journalistes travaillant pour les médias biélorusses et étrangers ainsi que l'enregistrement des bureaux des médias sont aujourd'hui toujours restreints par les décisions opaques et discriminatoires des autorités.

IPA response:

Since the New Media Law was passed in 2009, media outlet registration and the accreditation of foreign journalists have become more important than ever. However, the process of registering and gaining accreditation remain opaque.

Recommendation n°44: Make public statements committing to political pluralism and democracy, and, in support of this commitment, adopt and implement policies to ensure that opposition parties are permitted to participate freely in the political process without fear of retribution (Recommended by Canada)

IRI: not implemented

APNB response:

Was not accomplished. In Belarus 15 political parties exists. Since 2000, none of the attempts to create a new political party in Belarus was successful, no new party obtained registration. On February 14, 2012 the Ministry of Justice delivered the judgement to refuse registration to the Belarusian Christian Democracy Party. This was already the 6th refusal of registration to the BChD and the 4th refusal of registration to them as a political party. The Steering committee of the party submitted an appeal against the decision of the Ministry of Justice to the Supreme Court, but it was not upheld. In summer 2012, the Belarusian Communist Party of Labour got the 4th refusal of registration from the Ministry of Justice. Opposition parties have difficulties with the registration of their regional and local offices. In particular, in 2012, registration was denied to the Hrodna regional unit of the BPF, which was unsuccessfully trying to get registered during the last five years. The reason for refusal of registration was the failure to provide the regional Department of Justice with the data on the location of the members' of the opposition party working places, though the provision of this information is not required to register a party's unit, in accordance with the law. However, the Hrodna Regional Court and later the Supreme Court of Belarus upheld the refusal to register the unit.

In December 2010, the Minsk city authorities initiated the process of eviction of the Belarusian Popular Front Party from the office premises that this oppositional party had occupied for nearly 20 years. Grounds for eviction were found in the fact that a point for collection of aid for those who suffered and were arrested during the mass repressions after the presidential elections in 2010 was organized at the office of the BPF Party. On May 10, 2011, the Economic Court of Minsk issued a decision to evict the Belarusian Popular Front Party from its office premises in Minsk (located at Pr.



Masherava, 8). The decision entered into force in June, after the attempt for an appellate review. The BPF Party asserts that owners of other premises willing to provide office space for the oppositional party faced threats from the executive authorities and KGB. The possibility to lose legal address could lead to a danger to be liquidated. The Belarusian Popular Front Party had to leave its former office and move to less suitable premises on July 25, 2011, after seven months of legal proceedings. The BPF Party exhausted all domestic remedies; decision on eviction was supported by the Supreme Economic Court. Later in 2011, the party had to move to another location again, because pressure was exercised against the owner of the new office premises and he decided to terminate the lease contract.

The Brest Organization of the Belarusian United Leftists Party “Fair World” cannot gain registration, as it doesn't possess a legal address (local executive and administration authorities refuse to settle place of location to the party in the private residential house).

Mr. Stanislau Khrapavitski, Chairperson of the Vorsha Department of the United Civil Party, decided to register the party's unit at his home address. He resides in a privately owned house and the legislation allows registering organizations in one-storied blocked house with consent of local authorities. The executive council of Orsha, however, denied registration to the party unit, providing no explanations of the decision.

Ministry of Justice suspended registration of amendments into the Statutes of the Belarusian Social Democratic Party “Hramada” due to the change of the party's legal address. In fact, temporary external management was established in the party: the Ministry of Justice failed to acknowledge legitimacy of the governing bodies newly elected at the XIII extraordinary assembly of the party. Two written warnings were issued to the party on January 6 and January 24, 2011, in this regard. A proposal in the warnings was made to establish an organizational committee (not stipulated for in the party's Statutes) and conduct another assembly. However, the second attempt to conduct the assembly was not successful, either. On August 23, 2011, the Ministry of Justice issued a decision to deny state registration to amendments and alteration into the Statutes of the Belarusian Social Democratic Party “Hramada”. Actual work of the party has been paralyzed and the party remains without a leadership that would be considered legitimate by the Ministry of Justice.

Mr. Siarhei Kavalenka (a Vitebsk member of the Belarusian Public Front Christian Conservative Party) who was put under suspended sentence for hanging out a white-red-white flag on the city's Christmas tree, was numerously arrested upon the ground of charges for administrative offences. The charges were doubtful in their nature and were connected to determination of authorities to isolate this active member of an oppositional party. Such arrests may lead to withdrawal of suspended sentence of Mr. Kavalenka's and his placement into custody. Officers of the Department for Execution of Sentences discovered four violations exercised by Mr. Kavalenka. However, validity of such discoveries causes serious doubts. Mr. Kavalenka has been arrested under the charges with violation of Article 415 of the Criminal Code (“Evasion of Serving the Sentence in Form of Limitation of Freedom”), he is



threatened with up to three years of custodial restraint (the family of the political prisoner is meanwhile left without the breadwinner).

On December 20, 2011, the administration of the Baranavichy Factory of Automatic Transfer Lines did not prolong labor contract with Mr. Viktor Tsiapin. Despite the fact that he was a well-qualified specialist and the factory was in need of civil engineers, the factory's directors refused to use his labor services. Mr. Tsiapin has always had an active civil position and currently is a Chairperson of the Baranavichy City Organization of the "Fair World" Political Party. The practice of employment bans is widely used in relation to members of oppositional parties in smaller towns (e.g. the Chairperson of Haradok Unit of the Belarusian Popular Front Party has been unable to find a job for over 4 years).

Numerous cases of preventive detentions took place prior to conduction of Narodny Skhod ("People's Assembly") organized by oppositional parties in various towns of Belarus. In particular, Mr. Uladzimir Shantsau (the Chairperson of the Mahilou Regional Unit of the United Civil Party), Mr. Ivan Shchega (Chairperson of the Slonim Unit of the Belarusian Popular Front Party), Mr. Siarhei Antonau (Chairperson of the Bykhau Regional Unit of the Belarusian Popular Front Party), Mr. Leanid Autukhou (Chairperson of the Haradok Unit of the Belarusian Popular Front Party), Mr. Lyaontsi Tchapurnikh (member of the Belarusian United Leftists Party "Fair World") and dozens of other members of oppositional organizations were subject to preventive arrests prior to the action on October 8, 2011. Preventive arrests of famous oppositional leaders were also conducted prior to December 19, 2011, in connection with the anniversary of the last presidential elections (Mr. Rymasheuski, ex-candidate for the presidency, and at least two other members of the Belarusian Christian Democracy Party were detained).

An armed assault onto the car with Mr. Valery Ukhналиou (Deputy Chair of the "Fair World" Party) and Mr. Vatslau Areshka (member of the organizational committee of the "Belarusian Movement" Party) took place on the night of September 30 to October 1, 2011, on the route "Vilnius – Minsk" near Valozhyn. A man wearing the Road Patrol Service uniform stopped their car. When Mr. Ukhналиou got out of the car for the documents check, a group of unidentified persons wearing masks appeared and robbed the people inside the car. Personal belongings, money, documents, data carriers were stolen. Victims of the robbery connect this incident with their political activity and preparation for the action on October 8, 2011, in particular. Mr. Anatoly Liabedzka, leader of the United Civil Party, was detained on October 1, 2011. Mr. Liabedzka also connects such actions of the authorities with sharp statements he made during European conferences. On the day prior to detention, Mr. Liabedzka came from Warsaw where he had a meeting with European representatives of the Eastern Partnership Program.

KGB pressure onto activists of youth organizations continued and was aimed both at associations with clearly outspoken political goals and at de-politicized non-governmental organizations. Ms. Yekatsiaryna Ramashkevich, activist of the "Youth of BPF" announced that the KGB persistently invited her for a conversation, refusing to send an official summon for such a talk. One of the founders of the human rights



project “GayBelarus” was invited for a conversation to the Hrodna KGB in December 2011. Ms. Volha Padzeryna, activist of the “Young Democrats” organization, was sentenced by the Lenin District Court of Minsk to 10 days of administrative arrest for distribution of leaflets. Other types of persecution were exercised on activists of these and other political youth organizations.

Recommendation n°51: Ensure that these crimes against political activists and journalists are independently and impartially investigated and that their perpetrators are brought to justice (Recommended by Czech Republic)

IRI: partially implemented

RSF response:

En juillet 2011, suite à des « protestations silencieuses » de la part de journalistes contre les abus policiers, le procureur général Ryhor Vasilevich a averti publiquement les forces de l'ordre que les violations des droits des journalistes seraient sanctionnées. On peut ainsi constater une relative modération qui tranche avec la violence indiscriminée employée lors de précédents rassemblements. Cependant, des condamnations arbitraires à plusieurs jours de prison, par exemple pour « petite délinquance », sont encore prononcées toutes les semaines. Les procès sont expéditifs, ne reposant parfois que sur des faux témoignages des forces de l'ordre.

Recommendation n°68: Conform to repeated demands of the international community not to detain political prisoners and not to engage in judicial proceedings for political motives, liberalize the media sector, and guarantee freedom of expression and of the media, and reform electoral law so as to guarantee the transparency of vote counting, and, finally, lift all obstacles to the functioning of non-governmental organizations and political parties (Recommended by France)

IRI: not implemented

Legal Transformation Center, Office for the Rights of People with Disabilities, Human Rights Defenders Against Torture (joint) response:

The Belarusian legislation significantly restricts the freedom of association and freedom of expression, these restrictions are inconsistent with the ICCPR. The main barriers to the functioning of NGOs are:

- 1) The process of registration of public associations, political parties, trade unions, foundations depends on the will of the state;
- 2) In Belarus there is a ban on the activities of unregistered public associations, political parties, trade unions, foundations, religious organizations;
- 3) Belarus has criminalized the activities referred to in paragraph 2 regardless of the orientation and the type of activities. Together, acts of legislation create difficult conditions for the establishment of public associations, political parties, trade unions and foundations, as well as they set a complicated procedure of registration with the possibility of arbitrary denial of registration;
- 4) Broad list of reasons for the elimination of non-profit organizations is set up;
- 5) Freedom of association means not only the right to be registered, but also the right to the legislative provisions guaranteeing NGOs' effective functioning; however, the Belarusian legislation significantly restricts the ability of NGOs to receive funding:



- i. Permissive principle of registration of foreign aid and its liberation from taxes (the solution of these questions depends on the will of the state) is set up;
- ii. Goals for receiving donations from the Belarusian legal entities are fixed;
- iii. It is forbidden to public associations to exercise business activity;
- iv. Legislation on charity has not been elaborated.

In autumn 2011 Belarus adopted another package of changes to the legislation that restricts freedom of association, in particular it established criminal liability for violation of the procedure for receiving foreign donations (these norms have not been applied in practice yet).

There are minor positive changes in legislation on non-profit organizations to which the government constantly refers as to the fact of liberalization of the legislation on NGOs (for example, in early 2012, the need to obtain a permission from the registering body to make a seal was cancelled for public printing associations, foundations). The draft Law "On Amendments and Additions to some Laws of the Republic of Belarus on the activities of political parties and other public associations" mitigates some provisions regarding the requirements for the registration of public associations, but does not change the registration procedure on the basis of the permissive principle with the possibility of arbitrary denial in registration. Thus, minor positive developments do not change positively the situation with freedom of association in the country.

The number of registered NGOs has not significantly changed since 2003.

F18 response:

Fulfilling this recommendation would help facilitate followers of all religions and beliefs and none in exercising their human rights to freedom of religion or belief, and to the interconnected rights to assembly and expression. Belarus continues to keep religious communities within what one local Protestant described as “an invisible ghetto of regulation”, Forum 18 has found. The state closely controls people meeting together to exercise their religious freedom, forcing many religious communities to keep out of sight. Officials are hostile towards followers of faiths they see as a threat, particularly the Protestantism of many of the regime's political opponents. However, Forum 18 also notes that Belarus has been more reluctant to crack down on freedom of religion and belief in recent years, for fear that this might increase political opposition. Other issues include: strict controls on foreign citizens, including Catholic priests, who conduct religious activity; a Soviet-era network of KGB secret police and religious affairs officials; lack of any provision for conscientious objection to military service; and obstruction of the religious freedom of prisoners, including prisoners of conscience and death-row prisoners.

APNB response:

[See response to recommendation n° 20]

Recommendation n°78: Continue its constructive engagement with civil society to enable tangible results on the ground through their joint undertakings in the



promotion and protection of human rights in the country (Recommended by Indonesia)

IRI: *not implemented*

F18 response:

It is hard to see what current “constructive engagement with civil society to enable tangible results” is meant. Followers of all religions and beliefs and none are obstructed by the state from exercising their human rights to freedom of religion or belief, and to the interconnected rights to assembly and expression. Belarus continues to keep religious communities within what one local Protestant described as “an invisible ghetto of regulation”, Forum 18 has found. The state closely controls people meeting together to exercise their religious freedom, forcing many religious communities to keep out of sight. Officials are hostile towards followers of faiths they see as a threat, particularly the Protestantism of many of the regime’s political opponents. However, Forum 18 also notes that Belarus has been more reluctant to crack down on freedom of religion and belief in recent years, for fear that this might increase political opposition. Other issues include: strict controls on foreign citizens, including Catholic priests, who conduct religious activity; a Soviet-era network of KGB secret police and religious affairs officials; lack of any provision for conscientious objection to military service; and obstruction of the religious freedom of prisoners, including prisoners of conscience and death-row prisoners.

APNB response:

[See response to recommendation n° 20]

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Participation of non-commercial organizations in the process of state decision-making is still practically unsettled on the level of legislation; mechanisms of interaction between state bodies of different levels and non-commercial organizations have not been defined. In September 2011, the Advisory Public Council of the Presidential Administration was dissolved. The Council consisted of several NGO leaders, including the Chair of the Belarusian Helsinki Committee. Public associations in most cases have no possibility to really influence state policy and the process of drafting legal acts.

In this regard, a positive innovation may be seen in the Presidential Directive #4 as of December 31, 2010, that introduces procedure of obligatory public discussion of draft laws that may have a substantial influence onto circumstances of entrepreneurship into the working routines of republican bodies of state administration (and other state organizations under the Government of the Republic of Belarus), of regional executive councils and Minsk City Executive Council. This may be done, inter alia, by creating public consultative and (or) experts councils under the auspices of such state bodies with involvement of representatives of entrepreneurs, their unions and associations; through placing drafts of such laws at disposal on official web pages of state bodies, other organizations, in the Internet global computer network and (or) in mass media. Positive practice has also been seen in development of Model Regulations on Public and Consultative (Experts) Council and discussion with broad publicity in this regard. However, this positive experience is relevant only for the associations of entrepreneurs.



Recommendation n°82: *Continue to promote dialogue among different religions*
(Recommended by *Iran*)

IRI: *not implemented*

F18 response:

Promoting “dialogue among different religions” is more or less meaningless unless followers of all religions and beliefs and none are able to exercise in full their human rights to freedom of religion or belief, and to the interconnected rights to assembly and expression. Belarus continues to keep religious communities within what one local Protestant described as “an invisible ghetto of regulation”, Forum 18 has found. The state closely controls people meeting together to exercise their religious freedom, forcing many religious communities to keep out of sight. Officials are hostile towards followers of faiths they see as a threat, particularly the Protestantism of many of the regime's political opponents. However, Forum 18 also notes that Belarus has been more reluctant to crack down on freedom of religion and belief in recent years, for fear that this might increase political opposition. Other issues include: strict controls on foreign citizens, including Catholic priests, who conduct religious activity; a Soviet-era network of KGB secret police and religious affairs officials; lack of any provision for conscientious objection to military service; and obstruction of the religious freedom of prisoners, including prisoners of conscience and death-row prisoners.

Tandem Project (TP) response:

[...] The government selectively and arbitrarily targeted religious groups, which led to self-censorship among members of many religious groups. The government used provisions of the religion law to hinder or prevent activities of groups other than the Belarusian Orthodox Church (BOC), which has special status by virtue of a concordat with the government and at least 12 other agreements with various state agencies. In particular the law restricts the ability of religious organizations to provide religious education and to freely import and distribute religious literature. Authorities harassed and fined members of certain religious groups, especially those the government regarded as bearers of foreign cultural influence or as having a political agenda. Foreign missionaries, clergy, and humanitarian workers affiliated with Protestant churches faced many government imposed obstacles, including deportation and visa refusal or cancellation.

There were reports of societal abuses or discrimination based on religious affiliation, belief, or practice. Many of these reports involved vandalism of religious sites, buildings, and memorials.

[...]

Recommendation n°90: *Repeal or amend legislation, such as the Law on Public Events and Criminal Code 193-1, which represses free expression or opinion, assembly and association, in particular that of human rights defenders and other members of civil society* (Recommended by *Israel*)

IRI: *not implemented*

Joint response:

Criminal liability for the activities of unregistered organizations, in action since 2005, has not been cancelled despite repeated promises made by the authorities.



The European Commission for Democracy through Law (Venice Commission) in its Conclusion № 633/2011 of 18.10.2011 on the compliance of Art. 193.1 of the Criminal Code regarding the rights of unregistered associations with international standards acknowledged that the existence of this article does not comply with international standards on freedom of association and freedom of expression.

APNB response:

Was not accomplished. The Government did not make any steps towards abolition or review of the Article 193.1 of the Criminal Code.

Recommendation n°106: In order to ensure freedom of expression, fully implement provisions of the Constitution of Belarus on freedom of expression, protect all journalists from harassment, and create an enabling environment for the operation of free media through, inter alia, the simplification of registration and accreditation procedures (Recommended by Lithuania)

IRI: not implemented

RSF response:

Le président Alexandre Loukachenko sentant son pouvoir vaciller face à une contestation croissante, dénonce les journalistes comme fauteurs de trouble depuis quelques années maintenant. La répression envers ces derniers est de plus en plus forte. Ainsi, le pouvoir, par le biais du ministère des Affaires étrangères rejette ou ignore la plupart des demandes d'accréditation des médias étrangers et de leurs correspondants locaux, poussant ainsi les journalistes concernés à travailler dans l'illégalité.

IPA response:

Journalists remain victims of harassment. In 2011, the KGB carried out an extensive harassment campaign against political activists and journalists that criticized the government. Government officials harass and censor independent media outlets with threats of violence and revocation of credentials. Ales Byalyatski, head of the Viasna Human Rights Center was one of the many people affected by this campaign. He was sentenced to four and a half years in prison on dubious charges of tax evasion. There is still not an “enabling environment” for free media. The government holds a monopoly on television broadcasting and owns the only internet provider in the country.

Recommendation n°116: Bring its laws into line with European and international standards on press freedom, and abolish existing legislation on defamation (Recommended by Netherlands)

IRI: not implemented

RSF response:

Les articles du code pénal 367, 368, 369 et 369.1 qui traitent de diffamation et insulte contre un officiel ou contre le président et de discrédit de la République sont, aujourd'hui, toujours en vigueur. Depuis 10 ans, plus de 9 personnes dont 3 journalistes ont été condamné à des travaux forcés ou à des peines de prison avec sursis au Belarus pour diffamation et insulte envers le président Loukachenko.



Recommendation n°123: *Ensure a participatory and inclusive process with civil society, including independent nongovernmental organizations, in accordance with the right to freedom of association, in the follow-up of universal periodic review recommendations* (Recommended by Norway)

IRI: *not implemented*

Joint response:

Not implemented.

There is no information that the authorities addressed NGOs to establish an inclusive process based on universal participation in the follow-up to the recommendations of the UPR on the right to freedom of association.

Human rights organizations are not involved in joint follow-up to the recommendations of the UPR.

The state does not initiate discussion on the recommendations of the UPR in the society.

International Lesbian and Gay Association - Europe (ILGAE) response:

No progress. 51% of NGOs registered in 2012 were sports clubs and associations. None of human rights, gender related or democracy building groups had been registered.

F18 response:

Implementing this approach in relation to concretely implementing both Belarus' obligations under the ICCPR, and follow-up on UPR recommendations would appropriate include the state facilitating the exercise of freedom of association and the related rights to freedom of religion or belief, assembly, and expression. Belarus continues to keep religious communities within what one local Protestant described as "an invisible ghetto of regulation", Forum 18 has found. The state closely controls people meeting together to exercise their religious freedom, forcing many religious communities to keep out of sight. Officials are hostile towards followers of faiths they see as a threat, particularly the Protestantism of many of the regime's political opponents. However, Forum 18 also notes that Belarus has been more reluctant to crack down on freedom of religion and belief in recent years, for fear that this might increase political opposition. Other issues include: strict controls on foreign citizens, including Catholic priests, who conduct religious activity; a Soviet-era network of KGB secret police and religious affairs officials; lack of any provision for conscientious objection to military service; and obstruction of the religious freedom of prisoners, including prisoners of conscience and death-row prisoners.

Recommendation n°127: *Take concrete steps to meet its obligations on creating an environment that fosters freedom of expression* (Recommended by Norway)

IRI: *not implemented*

RSF response:

Internet est devenu en quelques années un espace d'expression privilégié mais depuis 2010, le pouvoir essaye de retrouver la maitrise de la situation en imposant des contrôles drastiques. Le 6 janvier 2012, la loi n°317-3 qui renforce le dispositif de



contrôle du Net est entrée en vigueur. Elle vise à prévoir des sanctions pour ceux qui violeraient les dispositions du décret n°60 de février 2010 comme par exemple, l'obligation faite aux propriétaires de cybercafés de surveiller les internautes.

F18 response:

Facilitating freedom of expression and related human rights, such as freedom of religion or belief, would be welcome. Belarus continues to keep religious communities within what one local Protestant described as “an invisible ghetto of regulation”, Forum 18 has found. The state closely controls people meeting together to exercise their religious freedom, forcing many religious communities to keep out of sight. Officials are hostile towards followers of faiths they see as a threat, particularly the Protestantism of many of the regime's political opponents. However, Forum 18 also notes that Belarus has been more reluctant to crack down on freedom of religion and belief in recent years, for fear that this might increase political opposition. Other issues include: strict controls on foreign citizens, including Catholic priests, who conduct religious activity; a Soviet-era network of KGB secret police and religious affairs officials; lack of any provision for conscientious objection to military service; and obstruction of the religious freedom of prisoners, including prisoners of conscience and death-row prisoners.

IPA response:

Concrete steps have not been taken to create an environment that fosters freedom of expression.

Recommendation n°129: Continue hosting and sponsoring international conferences to promote a constructive dialogue among the different religions and beliefs (Recommended by Oman)

IRI: not implemented

F18 response:

“Hosting and sponsoring international conferences to promote a constructive dialogue among the different religions and beliefs” is more or less meaningless unless followers of all religions and beliefs and none are able to exercise in full their human rights to freedom of religion or belief, and to the interconnected rights to assembly and expression. Belarus continues to keep religious communities within what one local Protestant described as “an invisible ghetto of regulation”, Forum 18 has found. The state closely controls people meeting together to exercise their religious freedom, forcing many religious communities to keep out of sight. Officials are hostile towards followers of faiths they see as a threat, particularly the Protestantism of many of the regime's political opponents. However, Forum 18 also notes that Belarus has been more reluctant to crack down on freedom of religion and belief in recent years, for fear that this might increase political opposition. Other issues include: strict controls on foreign citizens, including Catholic priests, who conduct religious activity; a Soviet-era network of KGB secret police and religious affairs officials; lack of any provision for conscientious objection to military service; and obstruction of the religious freedom of prisoners, including prisoners of conscience and death-row prisoners.



TP response:

[...] The government selectively and arbitrarily targeted religious groups, which led to self-censorship among members of many religious groups. The government used provisions of the religion law to hinder or prevent activities of groups other than the Belarusian Orthodox Church (BOC), which has special status by virtue of a concordat with the government and at least 12 other agreements with various state agencies. In particular the law restricts the ability of religious organizations to provide religious education and to freely import and distribute religious literature. Authorities harassed and fined members of certain religious groups, especially those the government regarded as bearers of foreign cultural influence or as having a political agenda. Foreign missionaries, clergy, and humanitarian workers affiliated with Protestant churches faced many government imposed obstacles, including deportation and visa refusal or cancellation.

There were reports of societal abuses or discrimination based on religious affiliation, belief, or practice. Many of these reports involved vandalism of religious sites, buildings, and memorials.

Recommendation n°110: *Continue strengthening cooperation between the Government and civil society organizations in promoting and protecting human rights in areas such as education, public health and gender equality among others* (Recommended by *Malaysia*)

IRI: *partially implemented*

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Recommendation n°131: *Promote cooperation between the Government and civil society in the area of human rights protection and promotion* (Recommended by *Oman*)

IRI: *partially implemented*

Joint response:

Partially implemented.

The Government recognizes only officially registered associations as the civil society. Activities on behalf of unregistered organizations is criminally liable. The government, at best, ignores human rights organizations and groups, however it tends much more to pursue them. Most of the human rights organizations either cannot get registered or have been deregistered. Governmental cooperation with NGOs in areas such as education, health and gender equality takes place, but it is selective, so it is not possible to talk about the expansion and enhancement of such cooperation.

In Belarus, there is no legislative regulation of the mechanisms of interaction between different levels of government and non-profit organizations. Public associations in most cases are excluded from public decision-making, do not have a possibility to have a significant impact on public policy and the elaboration of regulations.

The positive legislative norm is the fixation by the President's directive of December 31, 2010 № 4 of the introduction into practice of republican government and other state organizations subordinated to the Government of the Republic of Belarus,



Regional Executive Committees and Minsk City Executive Committee of the mandatory public discussion of draft legislative acts, which can have a significant impact on conditions of entrepreneurial activities, including through the establishment under public bodies of public consultative and (or) expert councils with representatives of business entities and their associations (unions, associations), as well as placement of these projects on the official websites of government agencies and other organizations in the internet and (or) the media. At the same time, law enforcement in the area needs major corrections.

The possibility of interaction between public associations and government agencies establishes a number of special laws and regulations, for example, the legislation on combating human trafficking. Under many public bodies public councils with representatives of NGOs have been established, some of them are effective (for example, the Public Environmental Coordination Council, councils on ecotourism). At the same time, the legislation on public councils and the practice of their formation need serious changes.

Recommendation n°55: *Review its national legislation in order to ensure its compliance with freedom of expression, assembly and association, as guaranteed in articles 19, 21 and 22 of the International Covenant on Civil and Political Rights for example, article 193-1 of the Criminal Code - acting on behalf of a non-registered organization (Recommended by Czech Republic)*

IRI: *not implemented*

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Recommendation n°117: *Ensure that human rights defenders can peacefully exercise their right to freedom of expression and freedom of assembly, in conformity with the dispositions of the International Covenant of Civil and Political Rights and that it decriminalizes activities of individuals on behalf of non-registered organizations by abolishing article 193-1 of the Criminal Code (Recommended by Netherlands)*

IRI: *not implemented*

ILGAE response:

[See response to recommendation n° 20]

F18 response:

[See response to recommendation n° 39]

IPA response:

Amendments to the Criminal Code made in 2011 could be used to criminalize contact between human rights defenders and impede their ability to exercise their rights to freedom of expression and assembly. Article 193-1 of the Criminal Code remains in place.

APNB response:

[See response to recommendation n° 20]

Recommendation n°137: *Ensure that everyone, including human rights defenders, can peacefully exercise their right to freedom of expression and assembly in*



conformity with Belarus' obligations under the International Covenant on Civil and Political Rights (Recommended by Poland)

IRI: not implemented

ILGAE response:

In January 2013, the Ministry of Justice has refused to legally register LGBT human rights organisation “Lambda” (a new name of GayBelarus). The letter from the ministry stated “the organisation does not have in its charter any clauses on supporting social maturity and comprehensive development of the Belarusian youth”. The organisation's charter states its major activities will be linked to defending the rights of lesbians, gays, bisexuals, and transgender people. At least 60 founding members of “Lambda” have been summoned by the police for questioning in Minsk and seven other cities in January and February 2013. During the police interrogations the interviewees were asked about GayBelarus, its leader and his partner. In addition, police officers were interested in personal life and political views of the founding members themselves; some were asked about criminal cases investigated at that time and related, for example, to distribution of pornography, rape and sexual exploitation of minors. Police threatened to inform employers, colleges and parents when activists refused to collaborate. One activist from Grodno said police dragged him out of a hospital where he was undergoing treatment and took him to a police station, where he was beaten. “They hit me in the stomach with their knees, and when I fell they began to hit me on the head”, said Ihar Tsikhanyuk. He said they called him derogatory names and went through the information stored on his cellphone. Police have refused to comment on the questioning of the LGBT activists, as has the Ministry of Justice.

F18 response:

In defiance of human rights standards such as the International Covenant of Civil and Political Rights, Belarus attempts to make exercising human rights dependent on state permission through such measures such as making the unregistered exercise of freedom of religion or belief in association with others illegal. This also violates the linked freedoms of expression and assembly. Under the Religion Law, such activity can only take place “unobstructed” in state-approved houses of worship (Article 25). Yet the state obstructs acquisition of such houses of worship by disfavoured religious communities, as the case of New Life Church illustrates. Officials then use various legal tools to limit such communities. Restrictions begin from the moment a community forms. Under the Religion Law, all religious organisations must be registered with the state (Article 14). The Law is silent on those with fewer than 20 members – the minimum for registration. This creates a Catch-22 situation for a new community: it cannot publicise its existence before it has 20 committed members, but must do so in order to attract such a membership.

Fledgling communities of disfavoured faiths thus meet under threat of state reprisals, even in private homes. In January 2012 state officials warned the pastors of two such Pentecostal groups for conducting unregistered worship in villages in Brest Region. In late 2011 police raided a Jehovah's Witness house group in Mogilev Region. The state formally learns such communities exist when they attempt to register. In late 2011 police raided two Jehovah's Witness communities repeatedly denied state registration in Brest and Gomel Regions. In October 2009 police and an ideology



official raided a village home in Mogilev Region, where about 20 members of a Full Gospel charismatic congregation were singing hymns. Its registration application had earlier been rejected; the KGB secret police questioned those who signed it and claimed to find some less than totally familiar with the church's beliefs.

State registration being compulsory, the Religion Law makes no provision for those who do not wish to register. This primarily concerns the Council of Churches Baptists, who believe registration leads to state interference. (They broke away from the Soviet Union's main Baptist Union in the 1960s over moves to limit evangelism and youth work.) As well as abolishing Criminal Code Article 193-1, relevant parts of the Religion Law and the Code of Administrative Offences should also be abolished, as the unregistered exercise of freedom of religion or belief is typically treated as an administrative "offence" under the Administrative Code.

IPA response:

The right to freedom of assembly is in a seriously threatened position. In July 2011, the government proposed amendments to the Law on Mass Action that would ban almost any kind of protest. Authorities have become increasingly violent towards protesters. The government occasionally blocks social networks to stop protests and demonstrations from being organized.

Recommendation n^o139: Guarantee that civic organizations, human rights defenders, political parties and unions are able to carry out their legitimate activities without fear of reprisals, restrictions, judicial harassment and intimidation (Recommended by Poland)

IRI: not implemented

ILGAE response:

In January 2013, the Ministry of Justice has refused to legally register LGBT human rights organisation "Lambda" (a new name of GayBelarus). The letter from the ministry stated "the organisation does not have in its charter any clauses on supporting social maturity and comprehensive development of the Belarusian youth". The organisation's charter states its major activities will be linked to defending the rights of lesbians, gays, bisexuals, and transgender people. At least 60 founding members of "Lambda" have been summoned by the police for questioning in Minsk and seven other cities in January and February 2013. During the police interrogations the interviewees were asked about GayBelarus, its leader and his partner. In addition, police officers were interested in personal life and political views of the founding members themselves; some were asked about criminal cases investigated at that time and related, for example, to distribution of pornography, rape and sexual exploitation of minors. Police threatened to inform employers, colleges and parents when activists refused to collaborate. One activist from Grodno said police dragged him out of a hospital where he was undergoing treatment and took him to a police station, where he was beaten. "They hit me in the stomach with their knees, and when I fell they began to hit me on the head", said Ihar Tsikhanyuk. He said they called him derogatory names and went through the information stored on his cellphone. Police have refused to comment on the questioning of the LGBT activists, as has the Ministry of Justice.

F18 response:

This does not currently happen. For example, followers of all religions and beliefs and none are obstructed by the state from exercising their human rights to freedom of religion or belief, and to the interconnected rights to assembly and expression. Belarus continues to keep religious communities within what one local Protestant described as “an invisible ghetto of regulation”, Forum 18 has found. The state closely controls people meeting together to exercise their religious freedom, forcing many religious communities to keep out of sight. Officials are hostile towards followers of faiths they see as a threat, particularly the Protestantism of many of the regime's political opponents. However, Forum 18 also notes that Belarus has been more reluctant to crack down on freedom of religion and belief in recent years, for fear that this might increase political opposition. Other issues include: strict controls on foreign citizens, including Catholic priests, who conduct religious activity; a Soviet-era network of KGB secret police and religious affairs officials; lack of any provision for conscientious objection to military service; and obstruction of the religious freedom of prisoners, including prisoners of conscience and death-row prisoners.

APNB response:

[See response to recommendation n° 44]

Recommendation n°156: *Guarantee freedom of association and expression for all citizens, including the press, human rights defenders, political parties, civic organizations and trade unions* (Recommended by Switzerland)

IRI: *not implemented*

RSF response:

A l'approche des élections législatives de septembre 2012, de fortes pressions ont été exercées sur les journalistes indépendants et les milieux proches de l'opposition. Le harcèlement judiciaire auquel ces derniers font face a comme but de les intimider en plaçant une épée de Damoclès en permanence au-dessus de leur têtes. Les débats télévisés sont largement censurés.

Joint response:

Not implemented.

The UN Committee on the Elimination of Discrimination against Women in the concluding observations made upon the consideration of the seventh periodic report of Belarus at its 973th and 974th meetings, held on 27 January 2011, expressed concern about the situation with the freedom of association in Belarus.

Recognized on 24 June 2007 by the UN Human Rights Committee as violations § 1 article 22 of the ICCPR, expressed in the elimination of the Human Rights Center "Viasna", are still ignored by the Belarusian authorities. At the same time, on 25 November 2011 the head of "Viasna" A. Bialiatski was sentenced to 4.5 years of imprisonment to be served in a maximum security colony with confiscation of property and deprivation of the right to get involved in public activities. This verdict is not legally based as recognized by many international bodies, including a representative of the OHCHR noted the negative impact of the verdict on the ability



of civil society in Belarus to operate freely and without fear. The case of Bialiatski was one of the negative examples, which pushed the Human Rights Council to adopt a resolution on the protection of human rights defenders in 2013, aimed against the usage of legislation to discourage or excessively restrict the activities of human rights defenders, to criminalize their work.

The UN Committee against Torture in its conclusions following the consideration of the fourth periodic report of Belarus said that Belarus should take all necessary measures to ensure the protection of human rights defenders and journalists from intimidation or violence because of their work, and give NGOs the opportunity to seek and receive adequate funding to carry out their peaceful activities in the field of human rights.

ILGAE response:

No progress. 51% of NGOs registered in 2012 were sports clubs and associations. None of human rights, gender related or democracy building groups had been registered.

F18 response:

Followers of all religions and beliefs and none are obstructed by the state from exercising their human rights to freedom of religion or belief, and to the interconnected rights to [associate, assembly] and expression. Belarus continues to keep religious communities within what one local Protestant described as “an invisible ghetto of regulation”, Forum 18 has found. The state closely controls people meeting together to exercise their religious freedom, forcing many religious communities to keep out of sight. Officials are hostile towards followers of faiths they see as a threat, particularly the Protestantism of many of the regime's political opponents. However, Forum 18 also notes that Belarus has been more reluctant to crack down on freedom of religion and belief in recent years, for fear that this might increase political opposition. Other issues include: strict controls on foreign citizens, including Catholic priests, who conduct religious activity; a Soviet-era network of KGB secret police and religious affairs officials; lack of any provision for conscientious objection to military service; and obstruction of the religious freedom of prisoners, including prisoners of conscience and death-row prisoners.

IPA response:

Freedom of association is threatened by amendments made to the Law on Public Associations, which would target organizations that expressed dissenting opinions. Freedom of expression in academia is limited by governmental pressure. Academics are frequently threatened with harassment and even liquidation of their academic institutions.

APNB response:

[See response to recommendation n° 20]



Recommendation n^o165: *Continue the efforts to promote interreligious dialogue and share its experience and good practices with other countries* (Recommended by Tajikistan)

IRI: *not implemented*

F18 response:

Promoting “interreligious dialogue” is more or less meaningless unless followers of all religions and beliefs and none are able to exercise in full their human rights to freedom of religion or belief, and to the interconnected rights to assembly and expression. Belarus continues to keep religious communities within what one local Protestant described as “an invisible ghetto of regulation”, Forum 18 has found. The state closely controls people meeting together to exercise their religious freedom, forcing many religious communities to keep out of sight. Officials are hostile towards followers of faiths they see as a threat, particularly the Protestantism of many of the regime's political opponents. However, Forum 18 also notes that Belarus has been more reluctant to crack down on freedom of religion and belief in recent years, for fear that this might increase political opposition. Other issues include: strict controls on foreign citizens, including Catholic priests, who conduct religious activity; a Soviet-era network of KGB secret police and religious affairs officials; lack of any provision for conscientious objection to military service; and obstruction of the religious freedom of prisoners, including prisoners of conscience and death-row prisoners. In the light of the Belarusian state's repeated violations of human rights, it is difficult to identify any “good practices” it might “share ... with other countries”.

TP response:

[...] The government selectively and arbitrarily targeted religious groups, which led to self-censorship among members of many religious groups. The government used provisions of the religion law to hinder or prevent activities of groups other than the Belarusian Orthodox Church (BOC), which has special status by virtue of a concordat with the government and at least 12 other agreements with various state agencies. In particular the law restricts the ability of religious organizations to provide religious education and to freely import and distribute religious literature. Authorities harassed and fined members of certain religious groups, especially those the government regarded as bearers of foreign cultural influence or as having a political agenda. Foreign missionaries, clergy, and humanitarian workers affiliated with Protestant churches faced many government imposed obstacles, including deportation and visa refusal or cancellation.

There were reports of societal abuses or discrimination based on religious affiliation, belief, or practice. Many of these reports involved vandalism of religious sites, buildings, and memorials.

ESC Rights

Recommendation n^o15: *Continue its efforts for further progressing in promoting economic and social rights of its people* (Recommended by Bangladesh)

IRI: *not implemented*

+

Recommendation n^o47: *Continue its efforts aimed at the protection of economic, social and cultural rights of the most vulnerable segments of the population* (Recommended by Cuba)

IRI: *not implemented*

Belarusian Association of Assistance to Children and Young People with Disabilities (BelAPDliMI) response:

In Belarus there are many legal acts that aim to protect economic, social and cultural rights of people with disabilities. However, implementation of these acts needs to be improved since there still take place violations of rights of people with disabilities, such as:

- Lack of accessible environment which hinders full participation of people with disabilities in the life of community. There are technical and legal acts that set certain construction standards for accessible environment, however they are not properly implemented.
- Dominance of medical model in treatment of a person with disabilities. As a result of this there still exist medical contra-indications which prevent people with disabilities from getting certain type of education (or even from getting secondary education at school, not at home), getting certain jobs or from receiving certain social services in the community.

In addition, people with disabilities who do not receive medical recommendation to work or cannot find a job, receive social pension of the size which does not allow to lead a decent life. Person with disabilities of group 1 receives approximately 100 Euro a month (for comparison, 1 kg of meat costs 10 Euro, winter jacket 200 Euro).

10 years ago in Belarus in each administrative area were set up local centers providing social services. Social services are rendered to those in need of them in 149 centers all over Belarus. These centers provide accessible social services to people with disabilities, families with more than 3 children, people who cannot work due to their health state etc. Services are rendered in the community, mostly tailored to individual needs.

However, most adults with intellectual disabilities (whose rights BelAPDliMI defends) who do not have close relatives and family still do not enjoy the right to live in the community. They are usually deprived of legal capacity by a court decision and placed in closed residential institutions.



Only in 2013 on the initiative of BelAPDliMI new social service and concept of independent living (supported living) was introduced in the Law of the Republic of Belarus “On social services” of 22.05.2000 Nr. 395-3 (edition of 13.07.2012).

Recommendation n°24: *Continue to expand and strengthen the existing efforts in human rights education* (Recommended by Bhutan)

IRI: *not implemented*

F18 response:

This should be accompanied by the state fulfilling its binding international obligation to protect persons exercising their internationally recognised human rights. For example, followers of all religions and beliefs and none are obstructed by the state from exercising their human rights to freedom of religion or belief, and to the interconnected rights to assembly and expression. Belarus continues to keep religious communities within what one local Protestant described as “an invisible ghetto of regulation”, Forum 18 has found. The state closely controls people meeting together to exercise their religious freedom, forcing many religious communities to keep out of sight. Officials are hostile towards followers of faiths they see as a threat, particularly the Protestantism of many of the regime's political opponents. However, Forum 18 also notes that Belarus has been more reluctant to crack down on freedom of religion and belief in recent years, for fear that this might increase political opposition. Other issues include: strict controls on foreign citizens, including Catholic priests, who conduct religious activity; a Soviet-era network of KGB secret police and religious affairs officials; lack of any provision for conscientious objection to military service; and obstruction of the religious freedom of prisoners, including prisoners of conscience and death-row prisoners.

BelAPDliMI response:

As far as the education about rights of people with disabilities is concerned most of educational events (seminars, roundtables etc.) are organized by NGOs. Mass media, schools and universities tend to turn to this topic in more detail in the beginning of December in connection with the International Day of People with Disabilities. Otherwise education on rights of people with disabilities and need to diminish discrimination towards them remains scarce.

Recommendation n°114: *Pursue its efforts in the area of human rights education and training, and share its experience in this area with other countries* (Recommended by Morocco)

IRI: *not implemented*

F18 response:

If “efforts in the area of human rights education and training” are to have any meaningful impact, they should be accompanied by the state fulfilling its binding international obligation to protect persons exercising their internationally recognised human rights. For example, followers of all religions and beliefs and none are obstructed by the state from exercising their human rights to freedom of religion or belief, and to the interconnected rights to assembly and expression. Belarus continues to keep religious communities within what one local Protestant described as “an invisible ghetto of regulation”, Forum 18 has found. The state closely controls people meeting together to exercise their religious freedom, forcing many religious



communities to keep out of sight. Officials are hostile towards followers of faiths they see as a threat, particularly the Protestantism of many of the regime's political opponents. However, Forum 18 also notes that Belarus has been more reluctant to crack down on freedom of religion and belief in recent years, for fear that this might increase political opposition. Other issues include: strict controls on foreign citizens, including Catholic priests, who conduct religious activity; a Soviet-era network of KGB secret police and religious affairs officials; lack of any provision for conscientious objection to military service; and obstruction of the religious freedom of prisoners, including prisoners of conscience and death-row prisoners.

Minorities

Recommendation n°12: *Take appropriate measures against discrimination against persons belonging to ethnic minorities, in particular measures against harassment by police, and allow equal access to education for all persons belonging to minorities* (Recommended by Austria)

IRI: *not implemented*

APNB response:

Was not accomplished. In particular, members' of national and ethnic minorities freedom of association and the right to form their own associations are very limited, which is caused by frequent denials in registration. In 2011, the authorities refused to register a Public Union of the Ukrainians "Kobzar" (in Baranavichy city) and the Public Association "Belarusian Union of Litvins." The third attempt of the "Belarusian Union of Litvins" to get registered was opposed in December of 2011 with a denial on the grounds of a dispute whether the founders of the organization belonged to the Litvin minority in Belarus. There is an ongoing conflict in the framework of the Union of Poles in Belarus: the leaders of this organization which are supported by the State authorities are not recognized as legitimate leaders by Poland and some Polish members of the national community; at the same time, the authorities do not recognize half of the organization's members as representatives of the Polish minority and consider them members of an illegal unregistered NGO.

International Instruments

Recommendation n°2: *Examine, in the spirit of its engagement in favour of human rights, the possibility of adhering to the Convention on the Rights of Persons with Disabilities* (Recommended by Algeria)

IRI: *partially implemented*

+



Recommendation n°32: *Ratify the Convention on the Rights of Persons with Disabilities* (Recommended by *Brazil*)

IRI: *not implemented*

+

Recommendation n°148: *Sign and ratify the Convention on the Rights of Persons with Disabilities* (Recommended by *Spain*)

IRI: *not implemented*

+

Recommendation n°151: *Sign and ratify the Optional Protocol to the Convention on the Rights of Persons with Disabilities* (Recommended by *Spain*)

IRI: *not implemented*

Joint response:

Implemented partially. In 2009 Belarus started to prepare the first draft law on joining the Convention on the rights of persons with disabilities and before the consideration of UPR on Belarus in 2010 this draft law had been ready . In 2011 the draft law was submitted for consideration to the Council of Ministers. Representatives of the Ministry of labour and social protection said, that in 2011-2015 further work on improving the legislation in the sphere of disability would be held, including the plans of joining to the Convention on the rights of persons with disabilities . At the end of 2011 the plans on submitting for consideration to the Parliament of the Republic of Belarus the draft law on joining the Convention on the rights of persons with disabilities in spring 2012 were sounded.

But at the end of 2012 the draft law was still not ready and it is planned to finish the preparation and to submit it for consideration to the Council of Ministers in 2013 .

Draft law is not public and such interested organizations as NGOs of persons with disabilities have not got acquainted with it yet. It is not clear what the reason of such long preparation of draft law is.

The signing of Optional protocol to the Convention on the rights of persons with disabilities by the Republic of Belarus is not even considered.

BelAPDliMI response:

On the day these recommendations are drafted Republic of Belarus has not yet joined the Convention on Rights of People with Disabilities. Deputy Minister of Labour and Social Protection announced at online-conference for a news portal "belta" by that the project of the law to join the Convention has been prepared and will be presented to the Government for revision this year (see [belta website](#)).

However, there is no information as to when it is planned to sign and ratify the Convention by the Republic of Belarus.

Recommendation n°7: *Consider abolishing the death penalty, and ratify the Second Optional Protocol to the International Convention on Civil and Political Rights* (Recommended by *Austria*)

IRI: *not implemented*

+



Recommendation n°34: *Ratify the Second Optional Protocol to the International Convention on Civil and Political Rights* (Recommended by Brazil)

IRI: *not implemented*

+

Recommendation n°52: *Introduce a moratorium on the death penalty with a view to the future abolition of capital punishment, and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights* (Recommended by Czech Republic)

IRI: *not implemented*

+

Recommendation n°66: *Enact an immediate moratorium on executions with a view to ending the use of the death penalty, and accede to the Second Optional Protocol to the International Covenant on Civil and Political Rights, as well as the Sixth and Thirteenth Protocols to the European Convention on Human Rights* (Recommended by Finland)

IRI: *not implemented*

+

Recommendation n°94: *Ratify the Second Optional Protocol to the International Convention on Civil and Political Rights* (Recommended by Italy)

IRI: *not implemented*

+

Recommendation n°144: *Extend a moratorium on the death penalty, make public the number of sentences and executions carried out, and consider the ratification of the Second Optional Protocol to the International Covenant on Civil and Political Rights* (Recommended by Spain)

IRI: *not implemented*

F18 response:

As well as abolishing the death penalty, Belarus should also respect the human rights of all prisoners including those currently sentenced to death. The Criminal Enforcement Code guarantees death-row prisoners the right "to have meetings with a priest" (Article 174). However, prisoners sentenced to death - which sentence is almost never commuted to life imprisonment – are often granted visits they request. Prison sources have told Forum 18 that death-row prisoners are informed of their executions only minutes beforehand. In 2011 Andrei Burdyka – executed sometime between 13 and 19 July – had arranged for a visit by an Orthodox priest on 20 July. No opportunity was given for this visit to be brought forward. Andrei Zhuk - convicted of murder and executed on 18 March 2010 - was one of a small number of prisoners known to have been executed in Belarus since 2008. Zhuk's mother told Forum 18 that his lawyer had asked if he wanted a visit from a priest but that he had declined, as he did not expect the death sentence immediately.

The bodies of executed prisoners are not given to their families, the date and place of burial is kept secret, and no opportunity is given for a religious burial service. The mother and sister of Vladislav Kovalev complained to the UN Human Rights Committee that their right to freedom, thought and conscience (among other rights) was violated by his state execution on 15 March 2012. In refusing to give Kovalev's family his body for an Orthodox burial, the women argued, the state violated their right to religious freedom. Kovalev was convicted of aiding another defendant in



carrying out the April 2011 terrorist attack on the Minsk metro. He, his family and human rights defenders rejected the charges. On 29 October 2012 the Human Rights Committee concluded that the state's refusal to hand over death-row prisoners' bodies for burial and to disclose the place of burial "have the effect of intimidating or punishing the family by intentionally leaving it in a state of uncertainty and mental distress". Viewing this as amounting to inhuman treatment in violation of the ICCPR (Article 7 – Freedom from torture and cruel, inhuman or degrading treatment or punishment), the Committee did not examine the women's claim that the ICCPR's Article 18 on freedom of religion or belief had also been violated (Communication No. 2120/2011).

Recommendation n°30: *Declare a moratorium on executions with a view to abolishing the death penalty* (Recommended by Brazil)

IRI: *not implemented*

+

Recommendation n°33: *Ratify the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment* (Recommended by Brazil)

IRI: *not implemented*

+

Recommendation n°49: *Accede to the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment* (Recommended by Czech Republic)

IRI: *not implemented*

+

Recommendation n°69: *Immediately establish a moratorium on executions with a view to the definite abolition of the death penalty, and commute all death sentences to prison sentences* (Recommended by France)

IRI: *not implemented*

+

Recommendation n°75: *Follow the recommendation of the Constitutional Court of Belarus to abolish death penalty and, as a first step, introduce a moratorium on capital punishment without delay* (Recommended by Hungary)

IRI: *not implemented*

+

Recommendation n°83: *Sign the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment* (Recommended by Iraq)

IRI: *not implemented*

+

Recommendation n°87: *Implement a full moratorium with a view to early and total abolition of the death penalty* (Recommended by Ireland)

IRI: *not implemented*

+

Recommendation n°92: *Adopt a moratorium on the use of the death penalty with a view to its abolition* (Recommended by Italy)

IRI: *not implemented*

+



Recommendation n°108: *Introduce a moratorium on the execution of the death penalty with a view to completely abolishing capital punishment* (Recommended by Lithuania)

IRI: *not implemented*

+

Recommendation n°118: *Establish a moratorium on executions with a view to abolishing the death penalty in accordance with relevant General Assembly resolutions* (Recommended by Netherlands)

IRI: *not implemented*

+

Recommendation n°122: *Consider an immediate moratorium on the use of the death penalty with a view to its permanent abolition* (Recommended by Norway)

IRI: *not implemented*

+

Recommendation n°150: *Sign and ratify the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment* (Recommended by Spain)

IRI: *not implemented*

+

Recommendation n°157: *Put an end to the practice of capital punishment, and declare a moratorium on the death penalty as soon as possible with a view to its abolition* (Recommended by Switzerland)

IRI: *not implemented*

+

Recommendation n°158: *Ratify and implement the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment* (Recommended by Switzerland)

IRI: *not implemented*

Joint response:

No steps taken towards the implementation of the recommendation.

Recommendation n°53: *Introduce the definition of torture reflecting that in article 1 of CAT into its national legislation* (Recommended by Czech Republic)

IRI: *not implemented*

Joint response:

Not implemented.

The inadmissibility of torture and other ill-treatment is guaranteed by the Constitution of the Republic of Belarus (Article 25 of the Constitution), but none of the legal acts of the Republic of Belarus contains the definition of "torture" as it is enshrined in Article 1 of the Convention on torture, neither does it provide liability for it. The Belarusian legislation does not specify the acts of inhuman and degrading treatment or punishment, which form the basis for the name of the Convention, directly related to acts of torture and differentiated in dependence on the levels of brutality.

Courts are not guided by the provisions of the Constitution in criminal, civil and administrative cases, and the current legislation of the Republic of Belarus does not



provide and does not give citizens the right to appeal directly to the Constitutional Court.

Recommendation n°65: *Strengthen its cooperation with the international human rights system, through the timely submission of periodic reports to the relevant treaty bodies* (Recommended by Egypt)

IRI: *not implemented*

+

Recommendation n°76: *Present the remaining reports to treaty bodies without delay, and make every effort to avoid such delays in the future* (Recommended by Hungary)

IRI: *not implemented*

+

Recommendation n°147: *Intensify its efforts with a view to submitting delayed reports to treaty bodies* (Recommended by Spain)

IRI: *not implemented*

APNB response:

Was not accomplished. Since 1999, Belarus does not provide a periodic report on the implementation of the International Covenant on Civil and Political Rights. Recommendations of the Committee for Human Rights established in 1997, following the consideration of the fourth periodic report on the implementation of the International Covenant on Civil and Political Rights, were not met by the Government of Belarus.

F18 response:

[...]

Recommendation n°74: *Engage with other mandate holders, especially with the special rapporteurs on the right to freedom of expression, on human rights defenders and on torture* (Recommended by Hungary)

IRI: *not implemented*

Joint response:

Not implemented.

The Special Rapporteur on torture has been waiting for the authorization to the request to visit to Belarus since 2005. After the UPR recommendation this question has not been raised by the Belarusian side, and it is not currently planned.

F18 response:

[...]

IPA response:

In November 2011, the Special Rapporteur on the promotion of the right to freedom of opinion and expression, the Special Rapporteur on the rights to freedom of peaceful assembly and of association, and the Special Rapporteur on the situation of human rights defenders submitted a 7-page report to the UN Representative of Belarus detailing their concerns about human rights in Belarus.



The Belarusian side responded in January 2012, explaining that they could not accept the report. They claimed that the Special Rapporteurs had violated various procedural codes and was therefore illegitimate.

Recommendation n°107: *Increase cooperation with the United Nations treaty bodies and special procedures, in particular in implementing their recommendations and decisions (Recommended by Lithuania)*

IRI: *not implemented*

+

Recommendation n°121: *Maintain its cooperation with the various international mechanisms for the promotion and protection of human rights, including this Council and the oversight bodies for those treaties to which Belarus is a party, as well as periodically comply with the submission of its reports to those bodies (Recommended by Nicaragua)*

IRI: *not implemented*

+

Recommendation n°125: *Extend full cooperation to the United Nations special procedures, and ensure that overdue reports to the United Nations treaty bodies are submitted as a matter of priority (Recommended by Norway)*

IRI: *not implemented*

F18 response:

[...]

APNB response:

Was not accomplished. In particular, the Belarusian Government does not execute the decisions of the UN Human Rights Committee adopted on individual complaints of Belarusian citizens concerning violations of freedom of association, as well as the unreasonable dissolutions of NGOs and denials in registration. The Belarusian Government did not abide by the decisions of the UN Human Rights Committee, according to which registration denials and liquidations of public associations in Belarus are considered the facts of violation of the Article 22 of the International Covenant on Civil and Political Rights. At the moment three decisions of the UN Human Rights Committee concerning the violation of freedom of association in the Republic of Belarus have been adopted. These cases are the following:

- denial of registration of Human Rights Civic Organization “Helsinki-XXI” (CCPR/C/88/D/1039/2001; decision from 10 november 2006);
- judicial liquidation of Homiel Civic Organization “Civil Initiatives” (CCPR/C/88/D/1274/2004; decision from 10 november 2006);
- judicial liquidation of the Civic Organization “Human Rights Centre “Viasna”(CCPR/C/90/D/1296/2004; decision from 7 august 2007).

Numerous attempts to make the Government abide with the UN Committee's decisions by appealing in the national courts were not successful, thus the public associations mentioned above continue working as unregistered organizations and their members risk becoming subject to criminal responsibility for their activities.



Belarus refuses to cooperate with the Special Rapporteur of the Human Rights Council, Mr. Miklós Haraszti. In particular, the Belarusian authorities denied him a visa, making it impossible to visit Belarus and study situation with human rights there.

Recommendation n°145: Extend an open and permanent invitation to all special procedures, and respond positively to requests for visits not yet agreed upon (Recommended by Spain)

IRI: not implemented

APNB response:

Was not accomplished.

Belarus refuses to cooperate with the Special Rapporteur of the Human Rights Council, Mr. Miklós Haraszti. In particular, the Belarusian authorities denied him a visa, making it impossible to visit Belarus and study situation with human rights there.

F18 response:

[...]

Recommendation n°159: Respect the provisions of the International Covenant on Civil and Political Rights and the Convention against Torture, and the recommendations of intergovernmental human rights mechanisms, and also cooperate with special procedures (Recommended by Switzerland)

IRI: partially implemented

Joint response:

Partially implemented.

Before the UPR review of Belarus, in 2009 the Republic of Belarus submitted its fourth periodic report to the Committee against Torture. This report covered the period from 1999 to 2009. The conclusions of the Committee against Torture were sent to stakeholders.

The Republic of Belarus still ignores the conclusions of the Human Rights Committee adopted on individual communications of victims of human rights violations.

The Republic of Belarus has not made the declarations under articles 21, 22 of the Convention against Torture. Thus, the state does not recognize the competence of the Committee against Torture:

- To receive and consider communications from one State Party that claims that another State Party is not fulfilling its obligations under this Convention.
- To receive and consider communications from individuals under State's jurisdiction who claim to be victims of a violation of the provisions of the Convention made by the State Party.

The Special Rapporteur on the situation with human rights in Belarus, appointed in September 2012 by the Human Rights Council, Miklos Haraszti repeatedly addressed to the authorities with the request to visit Belarus, however so far no invitation has been received.

Justice

Recommendation n°4: *Pursue and intensify its initiatives in the area of fighting against human trafficking, a form of modern slavery* (Recommended by Algeria)

IRI: *partially implemented*

IPAGP response:

New 2012 Counter-trafficking Law impedes the provision of assistance to the victims unless the victim gets the status within a criminal case. If the criminal case is not initiated (e.g. labour exploitation cases), the survivors are not eligible to the assistance highlighted in the Law. However there is space for rendering assistance for the all victims, regardless the official status, by CSOs and IOs within Belarusian legislation.

Recommendation n°8: *Ensure fair trials and strictly respect the absolute prohibition of torture, including ensuring that confessions or information obtained as a result of torture and other ill treatment must not be used as evidence* (Recommended by Austria)

IRI: *not implemented*

Joint response:

Not implemented.

After the UPR no additional measures for the implementation of this recommendation Belarus has been taken. Judges do not take into account the allegations of torture made by defendants, and at trial of the presumption of trust is given to the first testimony of defendants. It is during the first interrogation, often taking place without a lawyer, torture and unlawful methods of interrogation are used.

Police officers still use the practice of arbitrary detention before the introduction of charges which creates good ground for psychological and physical pressure.

Recommendation n°23: *Continue its good practices such as compensation for victims of human trafficking and the establishment of institutions such as the international training centre on human trafficking and migration* (Recommended by Bhutan)

IRI: *partially implemented*

IPAGP response:

Ordinance of the Council of Ministers № 122 dd. 6.02.2012 stipulates the way of reimbursement for barristers who provide assistance to the victims and witnesses of trafficking. The expenses would be covered from the republican budget in amount of 50-70% of all legal expenses depending on the type of services. However this new provision recalls resistance from the barristers' side.

Recommendation n°54: *Review compliance of conditions in prison and detention facilities, in particular pre-trial detention facilities, with international standards* (Recommended by Czech Republic)

IRI: *not implemented*

Joint response:

Not implemented.

In February 2011, the decree of the Council of Ministers of 15 September 2006 № 1220 "On Approval of the Procedure of the public associations' control over the activities of penal agencies and institutions" was amended. However these amendments were of decorative nature and mainly related to renaming of the bodies of the Ministry of Justice. The amendments introduced the opportunity for international organizations to observe; however, only a citizen of the Republic of Belarus can be a member of the commission that does not change essentially the composition of commissions.

Commissions are still established by state authorities, and the decision to adopt NGO representative to the commission is made by the Ministry of Justice. At the same time it is not stated on what grounds the denial can be made, as well as the appeal of the denial. The inability to appeal against the denial creates doubts on their independence from the state.

The rights of the commission members have been slightly widened, among them: to send requests to the institution's administration for information and documents necessary for public scrutiny and preparing conclusions, to conduct surveys of persons in institutions in the form approved by the Ministry of Justice in consultation with the Ministry of Internal Affairs. The inability to carry out scrutiny on the developed by human rights organizations questionnaires creates doubts on the possibility to conduct independent monitoring of penitentiary institutions.

It is forbidden to members of the Commission: to get acquainted with the materials of the operational activities, personal files of prisoners and other documents related to the execution of sentences, take videos, photos and make audio recordings, to take written communications from the convicted. Thus, even if a convicted person makes a communication on the use of torture, it is forbidden for the member of the commission this appeal to take from him. This Regulation previews the participation of NGOs only in social and 'material' areas - participation in the organization of work, assistance in the preparation of prisoners for release, etc.

The commissions are still not allowed to visit detention facilities, places of administrative detention, temporary detention centers and police stations.

The term of former commissions has expired, and the composition of new commissions, if approved, is done behind the scenes - without any procedure and notification on the formation of monitoring commissions. It should be noted that the Ministry of Internal Affairs that is in charge of places of detention has the major influence in decision-making on the public control.

In fact, the current system of public monitoring of places of detention in Belarus has not been changed and exists only on the paper.



On 14 August 2012 human rights defender Sergei Ustinov applied to the main Department of Justice of the Minsk Regional Executive Committee for his inclusion to the Minsk Regional Public Watchdog Commission. On 11 September 2012 the human rights defender received a reply № 7-8/2964-1 signed by the deputy head of the main department of justice with the refusal of his inclusion to the monitoring commission. The reply does not give any reason for the refusal.

Thus, it is not possible to conduct an independent and objective monitoring of the compliance of the conditions in prisons and places of detention, including pre-trial detention centers, with international standards.

F18 response:

In violation of both Belarusian and international law, prisoners of conscience whose motivation for political opposition is their Christian faith have been denied pastoral visits by clergy, as well as communal worship and religious literature while in detention. Ordinary prisoners may be similarly denied freedom of religion or belief. Convicts in ordinary prisons have fewer problems gaining access to religious representatives, worship services and religious literature than inmates of pre-trial detention centres and maximum-security prisons, which usually share a building or complex.

However, this often depends on the prisoner's religious affiliation and the prison's location. The state's concordat-style 2003 Co-operation Agreement with the Belarusian Orthodox Church recognises provision of Orthodox pastoral care to prisoners and detainees among its priorities, and Orthodox priests have access to every prison for visits and religious services. Catholic priests have access to prisons in majority Catholic areas.

Protestant pastors report difficulties in accessing prisons, particularly since 2006. The deputy chief of Minsk's Punishment Implementation Department – which controls pastoral visits – told Forum 18 that it is "very strict at not admitting any random person into prisons. Sometimes they disguise themselves as other religions and have a negative influence over the inmates. For this reason access is only possible for Orthodox and Catholic priests, which means registered religions." He gave no examples of the "negative influence" he alleged.

Imams are never allowed to visit Muslim prisoners. Many convicts and clergy of different religions are unaware that the possibility for such visits exists. Also, "inmates are afraid of exercising their religious freedom rights, as they fear that the prison staff's attitude will be tougher", Protestant Pastor Boris Chernoglaz told Forum 18 in July 2011.

In Belarus' two maximum-security prisons, non-Orthodox Christian inmates are permitted one visit by a cleric each year as long as the prison administration approves it, according to Minsk-based lawyer Vlasta Oleksuk. In Zhodino's maximum-security prison, an Orthodox priest can visit inmates regularly.



The problem of pastoral visits is acute in the case of death-row prisoners. The Criminal Enforcement Code guarantees death-row prisoners the right "to have meetings with a priest" (Article 174). However, prisoners sentenced to death - which sentence is almost never commuted to life imprisonment – may not be granted visits they request. Prison sources say that death-row prisoners are informed of their executions only minutes beforehand.

Recommendation n°57: *Harmonise national legislation with international human rights norms* (Recommended by *Djibouti*)

IRI: *partially implemented*

F18 response:

[...]

BelAPDIIMI response:

Law of the Republic of Belarus "On social services" was issued in new edition on 01.01.2013, which introduced new social services which would improve implementation of certain rights of people with disabilities. In particular, since 01.01.2013 in Belarus there is a social service of supported living, service of a personal assistant, respite care service. At the moment the mechanism for rendering these services is still being developed and we cannot yet say that people with disabilities enjoy the right to fully participate in the life of community and lead a decent and independent living. However, the new law indicates a positive tendency which if properly implemented will lead to realization of these rights of people with disabilities in Belarus.

Recommendation n°71: *Suspend the duties of all officers of security forces implicated in cases of enforced disappearance, extrajudicial execution or torture, and ensure that impartial and credible inquiries are carried out so that those responsible for such acts are brought to justice* (Recommended by *France*)

IRI: *not implemented*

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Recommendation n°91: *Suspend the duties of officials implicated in any cases of enforced disappearance, summary execution and torture, and ensure all necessary measures are taken to investigate fully and impartially such cases and to bring the alleged perpetrators to justice before an independent tribunal, and, if found guilty, to ensure that they are punished in accordance with the international human rights obligations of Belarus, in compliance with General Assembly resolution 62-169* (Recommended by *Israel*)

IRI: *not implemented*

Joint response:

No steps taken towards the implementation of the recommendation.

Recommendation n°96: *Continue efforts and share best practices on combating human trafficking both nationally and internationally by closely cooperating with concerned parties* (Recommended by *Kazakhstan*)

IRI: *partially implemented*



IPAGP response:

Counter-trafficking Law regulates the participation of the governmental and non-governmental organizations, international organizations in the national CT activities. State commits to establish National Rapporteur's position lead by the Minister of Interior. Ministry of Interior remains the main CT coordination body. However for full execution of the provision, an act describing NRM should be enacted (probably, in 2014).

Recommendation n°126: *Release complete information on the execution of Mr. Andrei Zhuk and Mr. Vasily Yuzepchuk in Minsk in March of this year (Recommended by Norway)*

IRI: -

F18 response:

The Criminal Enforcement Code guarantees death-row prisoners the right "to have meetings with a priest" (Article 174). However, prisoners sentenced to death - which sentence is almost never commuted to life imprisonment – are often granted visits they request. Prison sources have told Forum 18 that death-row prisoners are informed of their executions only minutes beforehand. Andrei Zhuk - convicted of murder and executed on 18 March 2010 - was one of a small number of prisoners known to have been executed in Belarus since 2008. Zhuk's mother told Forum 18 that his lawyer had asked if he wanted a visit from a priest but that he had declined, as he did not expect the death sentence immediately.

The bodies of executed prisoners – including those of Andrei Zhuk and Vasily Yuzepchuk - are not given to their families, the date and place of burial is kept secret, and no opportunity is given for a religious burial service. The mother and sister of Vladislav Kovalev complained to the UN Human Rights Committee that their right to freedom, thought and conscience (among other rights) was violated by his state execution on 15 March 2012. In refusing to give Kovalev's family his body for an Orthodox burial, the women argued, the state violated their right to religious freedom. Kovalev was convicted of aiding another defendant in carrying out the April 2011 terrorist attack on the Minsk metro. He, his family and human rights defenders rejected the charges. On 29 October 2012 the Human Rights Committee concluded that the state's refusal to hand over death-row prisoners' bodies for burial and to disclose the place of burial "have the effect of intimidating or punishing the family by intentionally leaving it in a state of uncertainty and mental distress". Viewing this as amounting to inhuman treatment in violation of the ICCPR (Article 7 – Freedom from torture and cruel, inhuman or degrading treatment or punishment), the Committee did not examine the women's claim that the ICCPR's Article 18 on freedom of religion or belief had also been violated (Communication No. 2120/2011).

Recommendation n°142: *Conduct an evaluation on its anti-trafficking programmes to further strengthen them where appropriate and share its lessons learned in this area (Recommended by Singapore)*

IRI: -

IPAGP response:

Special chapter on monitoring and evaluation, including indicators of execution and effectiveness should be included into the forthcoming State programmes on combating trafficking/on combating of organized crime.

Recommendation n°146: *Intensify its efforts to investigate, identify and, if applicable, punish alleged perpetrators of the harassment, arbitrary detention and torture of opponents of the Government, including journalists and human rights defenders* (Recommended by *Spain*)

IRI: *not implemented*

Joint response:

No steps taken towards the implementation of the recommendation.

Women & Children

Recommendation n°6: *Continue its policy of combating trafficking in persons, especially women and children, at the national and international levels, and provide assistance to victims of trafficking through shelter assistance, rehabilitation and compensation for the victims* (Recommended by *Armenia*)

IRI: *partially implemented*

IPAGP response:

According to the Ordinance of the Council of Ministers № 381 dd. 21.04.2012, victims should be granted the temporary safe place with lasting catering for 10 days, however almost all crisis rooms of the state territorial centres are working only during day-time. In recognition of this gap, law enforcement bodies direct almost 98% of their referrals to CSOs and international organisations for social rehabilitation, rather than to the state system.

Recommendation n°16: *Continue to address the needs of children, including providing them with a family environment, and fulfil other rights to the maximum of ability* (Recommended by *Bangladesh*)

IRI: *partially implemented*

BelAPDliMI response:

In Belarus some children with disabilities still suffer from the situation when their parents refuse to take care of them. Also fewer of them find another family. As a result many of them still live in state residential institutions which usually host 100-250 children and do not always provide a comfortable environment for their development. According to the data of the Ministry of labour and social protection of the Republic of Belarus in August 2012 there were 25 833 children with disabilities in Belarus, 2500 residing in state residential institutions (orphanages).

Although the number of children with disabilities staying in institutions seems to have been reduced in the last decade due to better social services for families with children with disabilities, there still is much to do. For instance, foster families that accept children with disabilities do not get any extra support from the state in



comparison with other foster families. At the same time their expenses for medicine and food for children with disabilities are usually much higher. NGO “Belarusian Association of Assistance to Children with Disabilities” cooperates with organizations of foster families and promotes this issue together with them.

Recommendation n°22: *Continue its efforts in providing equal opportunity of work for all, and also consider efforts to support capacity-building programmes for women* (Recommended by *Bhutan*)

IRI: *partially implemented*

BelAPDliMI response:

In Belarus there are national programs to stimulate employment, which are approved for and financed each year. National program to stimulate employment in the Republic of Belarus for 2013 was approved by Regulation of Council of Ministers of 27.12.2012 Nr. 1211. These programs aim to assist, among others, people with disabilities in getting professional education and finding employment.

One of measures financed by national program for employment, for instance, is the program for adaptation of people with disabilities to a working place. Program for adaptation means that the salary of a person with disabilities is financed by the state in the first year of employment or other expenses of the employer related to employing a person with disabilities are covered. Although this measure may be very helpful for people with acquired disabilities, it is only partly effective for people with learning disability and other forms of disabilities existing from birth. Another aspect is that the competent authorities tend to approve only minimum salary for this program. As a result, a large number of people who use this program lose their job after the adaptation program is over.

In 2012 NGO “Belarusian Association of Assistance to Children and Young People with Disabilities” submitted to the Ministry of Labour and Social Protection proposal to introduce sheltered employment in Belarus in form of specialized workshops as well as to expand privileges for small and medium companies that hire people with disabilities. Unfortunately these proposals were largely not accepted. There exists a wide stereotype that people with certain disabilities cannot and do not want to work, it takes a long time to bring the attention of the government and society to the right for labour of everyone and possibility to realize it through sheltered or supported employment.

Among positive issues should be mentioned the new social service of personal assistants which may be used also to support a person with disabilities at a workplace. This is a totally new service in Belarus and it will probably take about another year or two to define its scope, availability and cost.

Recommendation n°31: *Forbid corporal punishment of children and take order in that matter* (Recommended by *Brazil*)

IRI: *not implemented*

Global Initiative to End All Corporal Punishment of Children (GIEACPC) response:

There has been no change in the legality of corporal punishment since the first cycle review of Belarus in 2010: it is lawful in the home and alternative care settings; while



it is considered unlawful in schools and penal institutions under laws protecting human dignity, there appears to be no explicit prohibition of all corporal punishment in those settings. In 2011, a draft Law on Prevention of Domestic Violence was under discussion but as at March 2013 it appeared not have been enacted: we do not know if prohibition of all corporal punishment has been proposed in this context.

Recommendation n°37: *Adopt measures to guarantee equality before the law for women* (Recommended by *Canada*)

IRI: *partially implemented*

IPAGP response:

National action plan on ensuring gender equality in Belarus for 2011-2015 stipulates the necessity of study the question and elaboration of the following basic documents: Conception on ensuring gender equality and Law on ensuring equal rights and possibilities for men and women in Belarus. Conception on ensuring gender equality is the basic document providing state gender policy of Republic of Belarus and its priorities till 2020.

Recommendation n°48: *Continue its efforts to reduce the number of children without parental care, including by advancing the ongoing initiatives to address this issue* (Recommended by *Cuba*)

IRI: *partially implemented*

BelAPDliMI response:

On 01.01.2013 in Belarus there were over 23 800 orphans and children left without parental care. Of these, the majority (18 600 boys and girls, or 78.06%) is brought up in foster care (guardianship, foster, family-type children's homes, children's villages) and 5 200 (21.94%) - in children's residential care state institutions.

In the past 10 years the number of children left without parental care has significantly decreased in Belarus. This happened due to development in Belarus of the system of foster care. Currently there are about 4 000 foster families in Belarus which take care of 2-5 children each.

7 years ago in Belarus there was adopted a law which obliges parents to reimburse expenses for the maintenance of their children in state institutions. This also helped to reduce the number of children without parental care.

In the last few years there are opening more family-type homes, in which usually reside 9-10 children, including children with special needs.

NGO "BelAPDliMI" implemented a number of projects to approve a model of timely assistance to parents on the birth of a child with disabilities. We are constantly talking about the need for counselling for parents of children with disabilities. At the same time we lobbied creation of centers for families and children in the community. These factors also reduce the number of children who end up in state institutions.



Recommendation n^o130: *Continue the elaboration and implementation of national action plans in order to improve the situation of children and the protection of their rights* (Recommended by Oman)

IRI: *fully implemented*

BelAPDIIMI response:

National action plan for improving the status of children and protection of their rights for 2012-2016 was approved by Regulation of Council of Ministers of the Republic of Belarus Nr. 218 of 12.03.2012. The plan includes legislative, educational, informational and other measures.

Recommendation n^o132: *Adopt the measures necessary to stop domestic violence, in particular with regard to the rights of women, and take measures aimed at protecting the victims of domestic violence* (Recommended by Palestine)

IRI: *partially implemented*

IPAGP response:

There are no specific laws on domestic violence. Domestic violence offence in Belarus is covered under the 2009 Law on Frameworks of activities aimed at prevention of offences. This law is not specific to domestic violence, but provides the definition of the offence and there are discussions to further amend the law to include provisions for protection orders. New amendments into the Code of Administrative Offences of the Republic of Belarus criminalize psychological and physical violence in families have been approved by the Parliament in the first reading and expected to come into force till the end of 2013. National criminal statistics on domestic violence are collected separately from other criminal statistics on other types of violence. The data is publically available from the Ministry of Interior. The data shows all cases, where police investigation took place. The Ministry of Interior is the only governmental body that regularly collects data on registered domestic crimes. However, these data is not disaggregated by gender, age, relationships between offenders and victims and, therefore, not available for analysis and adjustment of response measures. One of the most important stages on the way to combat domestic violence was the start of the National toll-free hotline on domestic violence in 2012 on the basis of NGO “Gender Perspectives”. It provides psychological, legal and social support for adult victims/survivors of DV. For 8 months of operation more than 1700 phone calls from survivors received. The state provides administrative support for the hotline advertisement campaign, and the promo materials are placed as social advertisement free-of-charge in 5 regions of Belarus. The public campaign is supported by business sector - mobile operators, food and market chains, women’s wear production companies, and national post office. Celebrity (actress) of Belarusian origin represents the campaign’s image free of charge.

The annual national-scale public campaign “Home without violence” under aegis of the Ministry of Interior is being conducted since 2006. It attracts wide mass media coverage and also provides numerous events for specialists.

Other

Recommendation n°1: *Examine the possibility of putting in place a national institution for the defence of human rights accredited by the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights (Recommended by Algeria)*

IRI: *not implemented*

ILGAE response:

No progress. The government says it is working on the possibility of putting in place of some kind of a national institution for the defence of human rights, however there is no any evidence of this work.

F18 response:

[...]

GB response:

No progress. The government says it is working on the possibility of putting in place of some kind of a national institution for the defence of human rights, however there is no any evidence of this work.

Recommendation n°5: *Continue its existing collaboration with international institutions in the sphere of human rights (Recommended by Armenia)*

IRI: *not implemented*

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Recommendation n°135: *Continue cooperation with the United Nations and other international organizations to promote human rights in Belarus (Recommended by Palestine)*

IRI: *not implemented*

F18 response:

[...]

APNB response:

Was not accomplished. In particular, the Belarusian Government does not execute the decisions of the UN Human Rights Committee adopted on individual complaints of Belarusian citizens concerning violations of freedom of association, as well as the unreasonable dissolutions of NGOs and denials in registration. The Belarusian Government did not abide by the decisions of the UN Human Rights Committee, according to which registration denials and liquidations of public associations in Belarus are considered the facts of violation of the Article 22 of the International Covenant on Civil and Political Rights. At the moment three decisions of the UN Human Rights Committee concerning the violation of freedom of association in the Republic of Belarus have been adopted. These cases are the following:

- denial of registration of Human Rights Civic Organization “Helsinki-XXI” (CCPR/C/88/D/1039/2001; decision from 10 november 2006);



- judicial liquidation of Homiel Civic Organization “Civil Initiatives” (CCPR/C/88/D/1274/2004; decision from 10 november 2006);
- judicial liquidation of the Civic Organization “Human Rights Centre “Viasna”(CCPR/C/90/D/1296/2004; decision from 7 august 2007).

Numerous attempts to make the Government abide with the UN Committee's decisions by appealing in the national courts were not successful, thus the public associations mentioned above continue working as unregistered organizations and their members risk becoming subject to criminal responsibility for their activities.

Belarus refuses to cooperate with the Special Rapporteur of the Human Rights Council, Mr. Miklós Haraszti. In particular, the Belarusian authorities denied him a visa, making it impossible to visit Belarus and study situation with human rights there.

Recommendation n°62: *Consider the establishment of a national human rights institution in accordance with the Paris Principles (Recommended by Egypt)*

IRI: *not implemented*

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Recommendation n°111: *Explore the possibility of establishing a national human rights institution in accordance with the Paris Principles (Recommended by Malaysia)*

IRI: *not implemented*

ILGAE response:

No progress. The government says it is working on the possibility of putting in place of some kind of a national institution for the defence of human rights, however there is no any evidence of this work.

F18 response:

[...]

Recommendation n°100: *Continue the coordination among print and audio-visual media to raise awareness and deepen understanding of human rights principles, and protect and promote different cultures, traditions and religions as a principal factor of stable relations among the ethnic groups (Recommended by Libya)*

IRI: -

F18 response:

“Coordination among print and audio-visual media” in Belarus means state censorship – for example bans on Jehovah's Witnesses importing some literature. To “protect and promote different cultures, traditions and religions as a principal factor of stable relations” is impossible unless a key ingredient of stability, the human rights to freedom of religion or belief, assembly, expression and other human rights are fully protected by the state. Belarus continues to keep religious communities within what one local Protestant described as “an invisible ghetto of regulation”, Forum 18 has found. The state closely controls people meeting together to exercise their religious freedom, forcing many religious communities to keep out of sight. Officials are hostile towards followers of faiths they see as a threat, particularly the Protestantism of many of the regime's political opponents. However, Forum 18 also notes that Belarus has been more reluctant to crack down on freedom of religion and belief in recent years, for fear that this might increase political opposition. Other issues include: strict



controls on foreign citizens, including Catholic priests, who conduct religious activity; a Soviet-era network of KGB secret police and religious affairs officials; lack of any provision for conscientious objection to military service; and obstruction of the religious freedom of prisoners, including prisoners of conscience and death-row prisoners.

TP response:

[...] The government selectively and arbitrarily targeted religious groups, which led to self-censorship among members of many religious groups. The government used provisions of the religion law to hinder or prevent activities of groups other than the Belarusian Orthodox Church (BOC), which has special status by virtue of a concordat with the government and at least 12 other agreements with various state agencies. In particular the law restricts the ability of religious organizations to provide religious education and to freely import and distribute religious literature. Authorities harassed and fined members of certain religious groups, especially those the government regarded as bearers of foreign cultural influence or as having a political agenda. Foreign missionaries, clergy, and humanitarian workers affiliated with Protestant churches faced many government imposed obstacles, including deportation and visa refusal or cancellation.

There were reports of societal abuses or discrimination based on religious affiliation, belief, or practice. Many of these reports involved vandalism of religious sites, buildings, and memorials.



Methodology

A. First contact

Although the methodology has to consider the specificities of each country, we applied the same procedure for data collection about all States:

1. We contacted the Permanent Mission to the UN either in Geneva (when it does exist) or New York;
2. We contacted all NGOs which took part in the process. Whenever NGOs were part of coalitions, each NGO was individually contacted;
3. The National Institution for Human Rights was contacted whenever one existed.
4. UN Agencies which sent information for the UPR were contacted.

We posted our requests to the States and NHRI, and sent emails to NGOs and UN Agencies.

The purpose of the UPR is to discuss issues and share concrete suggestions to improve human rights on the ground. Therefore, stakeholders whose objective is not to improve the human rights situation were not contacted, and those stakeholders' submissions were not taken into account.

However, since the UPR is meant to be a process which aims at sharing best practices among States and stakeholders, we take into account positive feedbacks from the latter.

B. Processing recommendations and voluntary pledges

Stakeholders we contact are encouraged to use an Excel sheet we provide which includes all recommendations received and voluntary pledges taken by the State reviewed.

Each submission is processed, whether the stakeholder has or has not used the Excel sheet. In the latter case, the submission is split up among recommendations we think it belongs to. Since such a task is more prone to misinterpretation, we strongly encourage stakeholders to use the Excel sheet.

If the stakeholder does not clearly mention neither that the recommendation was “fully implemented” nor that it was “not implemented”, UPR Info usually considers the recommendation as “partially implemented”, unless the implementation level is obvious.



UPR Info retains the right to edit comments that are considered not to directly address the recommendation in question, when comments are too lengthy or when comments are defamatory or inappropriate. While we do not mention the recommendations which were not addressed, they can be accessed unedited on the follow-up webpage.

C. Implementation Recommendation Index (IRI)

UPR Info developed an index showing the implementation level achieved by the State for both recommendations received and voluntary pledges taken at the UPR.

The **Implementation Recommendation Index (IRI)** is an individual recommendation index. Its purpose is to show an average of stakeholders' responses.

The *IRI* is meant to take into account stakeholders disputing the implementation of a recommendation. Whenever a stakeholder claims nothing has been implemented at all, the index score is 0. At the opposite, whenever a stakeholder claims a recommendation has been fully implemented, the *IRI* score is 1.

An average is calculated to fully reflect the many sources of information. If the State under Review claims that the recommendation has been fully implemented, and a stakeholder says it has been partially implemented, the score is 0.75.

Then the score is transformed into an implementation level, according to the table below:

Percentage:	Implementation level:
0 – 0.32	Not implemented
0.33 – 0.65	Partially implemented
0.66 – 1	Fully implemented

Example: On one side, a stakeholder comments on a recommendation requesting the establishment of a National Human Rights Institute (NHRI). On the other side, the State under review claims having partially set up the NHRI. As a result of this, the recommendation will be given an *IRI* score of 0.25, and thus the recommendation is considered as “not implemented”.

Disclaimer

The comments made by the authors (stakeholders) are theirs alone, and do not necessarily reflect the views, and opinions at UPR Info. Every attempt has been made to ensure that information provided on this page is accurate and not abusive. UPR Info cannot be held responsible for information provided in this document.



Uncommented recommendations

Hereby the recommendations which the MIA does not address:

rec. n°	Recommendation	SMR	Response	A	Issue
3	Examine, in the spirit of its engagement in favour of human rights, the possibility of adhering to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families	Algeria	Accepted	3	International instruments, Migrants
9	Ensure that all prisoners or detainees have access to legal counsel and relatives	Austria	Accepted	4	Detention conditions
10	Fully implement the OSCE recommendations concerning the reform of election regulations, in close cooperation with the Office for Democratic Institutions and Human Rights	Austria	Rejected	5	Elections
11	Further improve the living conditions in prisons and pre-trial detention centres	Austria	Accepted	4	Detention conditions
13	Continue its action-oriented policy on the reduction of infant mortality, maternal care, combating HIV-AIDs and environmental protection	Azerbaijan	Accepted	2	Environment, HIV - Aids, Right to health, Rights of the Child, Women's rights
14	Continue to implement its comprehensive programme to combat human trafficking and to encourage all cooperation with the relevant international organizations in this respect	Azerbaijan	Accepted	2	Trafficking
17	Share its best practices in the area of combating trafficking in women and children with other countries in contemporary situation	Bangladesh	Accepted	1	Rights of the Child, Trafficking, Women's rights
18	Abolish the death penalty as soon as possible, and, in the meantime, establish an immediate moratorium on executions	Belgium	Rejected	5	Death penalty
19	As long as the death penalty is not abolished and continues to be carried out, respect minimum standards in this regard, and in particular ensure that the death penalty is applied only for the most serious criminal offences	Belgium	Accepted	4	Death penalty
25	Continue its efforts to develop inter-ethnic confidence and prevent all forms of racial discrimination	Bolivia	Accepted	2	Racial discrimination
27	Continue working to eradicate all forms of discrimination against women, especially in the workplace	Bolivia	Accepted	2	Women's rights
28	Adopt specific legislation to grant gender equality	Brazil	Accepted	5	Women's rights
29	Consider issuing a standing invitation	Brazil	Rejected	3	Special procedures
35	Reinforce the independence of the judiciary	Brazil	Accepted	4	Justice



36	Review the legislative framework to re-assure the full implementation of the freedom of speech	Brazil	Rejected	3	Freedom of opinion and expression
38	Commit to inviting independent international observers to monitor future election processes	Canada	Rejected	5	Elections, Technical assistance
43	Institute reforms guaranteeing free and fair democratic elections that conform to international standards	Canada	Rejected	4	Elections
45	Continue to promote international cooperation in the field of human rights in accordance with its national situation	China	Accepted	2	General
46	Continue to strengthen the guarantee of women's rights and promote the social status of women, in accordance with the relevant international treaties	China	Accepted	2	International instruments, Women's rights
50	Adopt measures to prevent attacks, harassment, arbitrary detention of political activists and journalists	Czech Republic	Accepted	4	Freedom of the press
56	Create a favourable institutional framework to improve the condition of women by integrating them into social, economic and political life	Djibouti	Accepted	4	Women's rights
58	Promote human rights education for security and police forces	Djibouti	Accepted	4	Human rights education and training
59	Continue its efforts to secure the economic and social rights of the people in spite of the global financial crisis	DPR Korea	Accepted	2	ESC rights - general
60	Continue its positive efforts aimed at raising the status of women in the society, protecting maternity and supporting the family	DPR Korea	Accepted	2	Women's rights
61	Consider signing and ratifying the International Convention on the Rights of All Migrant Workers and Members of Their Families	Egypt	Accepted	3	International instruments, Migrants
63	Follow up on its initiatives in the fight against the trafficking in persons, especially women and children	Egypt	Accepted	4	Rights of the Child, Trafficking, Women's rights
64	Share its experiences in relation to the achievement of the development goals set out in the Millennium Declaration	Egypt	Accepted	1	Development
67	Strengthen its effort to combat and prevent discrimination faced by the Roma and ensure their full participation in the creation of mechanisms and adoption of measures to this end	Finland	Accepted	4	Minorities
70	Sign and ratify, within the optimal time frame, the International Convention on the Protection of All Persons from Enforced Disappearance	France	Rejected	5	Enforced disappearances, International instruments
72	Agree on the dates for the visit of eight special mandate holders invited by the Government	Hungary	Accepted	5	Special procedures
73	Consider seeking technical assistance to improve its capabilities to combat domestic violence and the abuse of children	Hungary	Accepted	3	Rights of the Child, Technical assistance, Women's rights



77	Respond to the allegation communications of the special procedures	Hungary	Accepted	5	Special procedures
79	Continue its efforts to combat human trafficking at the national and international levels through, inter alia, coordination and cooperation with interested Governments and international organizations	Iran	Accepted	2	Trafficking
80	Continue its efforts to combat racial discrimination and related intolerance	Iran	Accepted	2	Racial discrimination
81	Continue its efforts to enhance the rights of women and children and the institution of the family within the framework of national policies and strategies	Iran	Accepted	2	Rights of the Child, Women's rights
84	Bring its Law on Mass Events into line with the requirements of the International Covenant on Civil and Political Rights	Ireland	Rejected	5	CP rights - general, International instruments
85	Consider amendments to legislation to facilitate the registration of independent media and to guarantee its freedom	Ireland	Rejected	3	Freedom of the press
86	Continue to work with the OSCE Organization for Democratic Institutions and Human Rights on electoral reform, with a view to ensuring that the electoral process and legislative framework is fully in line with international standards, including the International Covenant on Civil and Political Rights, well in advance of the 2011 presidential election	Ireland	Rejected	2	Elections, International instruments
89	Ensure that national legislation complies with international fair trial standards and, inter alia, provides for the presumption of innocence, a competent defence for the accused, true rights to appeal, and the ability to seek pardon and commutation of sentence, particularly in capital punishment cases	Israel	Accepted	4	Death penalty, Justice
93	Ensure prompt, impartial and comprehensive investigations of all complaints of torture or cruel, inhuman or degrading treatment or punishment of persons subjected to any form of arrest, detention or imprisonment	Italy	Accepted	4	Torture and other CID treatment
95	Consider establishing and improving the juvenile justice system	Kazakhstan	Accepted	3	Justice, Rights of the Child
97	Improve the situation of women in the labour market	Kazakhstan	Accepted	4	Women's rights
98	Continue to carry out reforms in the country in order to fully ensure the protection of human rights and the rule of law in the country, and continue to exchange best practices on combating human trafficking, advancement of women and protection of the rights of the child and family with all United Nations member countries	Laos	Accepted	2	Justice, Rights of the Child, Trafficking, Women's rights
99	Continue the constructive cooperation with all human rights mechanisms in order to promote human rights in the country	Libya	Accepted	2	Special procedures, Treaty bodies



101	Strengthen the status of women, protect motherhood and provide support to the family, which is the nucleus of society	Libya	Accepted	4	Women's rights
102	Strive to put into practice the economic rights of individuals and make all possible efforts to overcome the difficulties with which the economy is confronted owing to the global financial crisis	Libya	Accepted	4	ESC rights - general
103	Continue activities in ensuring women's rights and gender equality	Lithuania	Accepted	3	Women's rights
105	In light of the upcoming elections, implement electoral laws in line with applicable international standards of the OSCE Organization for Democratic Institutions and Human Rights recommendations, and recommendations of the Commonwealth of Independent States Election Observation Mission	Lithuania	Rejected	4	Elections
109	Simplify the issuance of permissions for holding assemblies	Lithuania	Rejected	4	Freedom of association and peaceful assembly
112	Step up efforts in ensuring that the development and poverty alleviation programmes fully benefit the vulnerable groups, including minority and indigenous communities and rural women	Malaysia	Accepted	4	Development, Indigenous peoples, Minorities, Poverty, Women's rights
113	With regard to the pre-trial detention regime, put in place appropriate measures that would allow for separation of detainees on the basis of gender and age	Malaysia	Accepted	4	Detention conditions, Rights of the Child, Women's rights
115	Solicit the technical and financial assistance that it believes necessary to accompany it in its projects of human and social development	Morocco	Accepted	1	Technical assistance
119	Implement the recommendations of the report of the Parliamentary Assembly of the Council of Europe on disappeared persons in Belarus, and ratify the International Convention for the Protection of All Persons from Enforced Disappearance	Netherlands	Rejected	5	Enforced disappearances, International instruments
120	Continue its efforts to achieve other Millennium Development Goals, in accordance with the human rights priorities that the State has established in its national policy	Nicaragua	Accepted	2	Development
124	Ensure that all trials observe international standards for fair trial, and that the Government responds to concerns by defence lawyers and non-governmental organizations regarding trials against human rights defenders	Norway	Accepted	4	Civil society, Human rights defenders, Justice
128	That violations against human rights defenders, journalists and students are effectively investigated in order to bring those liable to justice	Norway	Accepted	4	Freedom of the press, Human rights defenders
133	Combine national and international efforts to combat human trafficking	Palestine	Accepted	4	Trafficking



134	Conduct awareness-raising campaigns concerning equality between men and women	Palestine	Accepted	5	Human rights education and training, Women's rights
136	Continue the positive work in combating racial discrimination and other forms of intolerance	Palestine	Accepted	2	Racial discrimination
140	Continue its cooperation with the Office of the United Nations High Commissioner for Human Rights, in particular with a view to implementing accepted recommendations made during the universal periodic review	Russian Federation	Accepted	2	Technical assistance, UPR process
141	Develop and implement, together with the Office of the United Nations High Commissioner for Human Rights, a training course on protecting the human rights of victims of human trafficking for representatives of law enforcement bodies, including those studying at the International Training Centre in Minsk	Russian Federation	Accepted	5	Human rights education and training, Trafficking
149	Sign and ratify the International Convention for the Protection of All Persons from Enforced Disappearance	Spain	Rejected	5	Enforced disappearances, International instruments
152	Sign and ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights	Spain	Rejected	5	ESC rights - general, International instruments
153	Continue its efforts to harmonize its national legislation with international standards	Sudan	Accepted	2	General
154	Continue supporting all programmes aimed at improving the health of its population in order to reduce mortality rates	Sudan	Accepted	2	Right to health
160	Continue its efforts in providing a decent standard of living for its people, and provide them with enforced social security	Syria	Accepted	2	ESC rights - general
161	Continue its efforts to reduce the rates of infant mortality as a component of the right to health	Syria	Accepted	2	Right to health, Rights of the Child
162	Continue consolidating national and international efforts in order to effectively combat the trafficking in human beings	Tajikistan	Accepted	2	Trafficking
163	Continue improving the living standards of its people through guarantees of the broader implementation of economic, social and cultural rights	Tajikistan	Accepted	2	ESC rights - general
164	Continue the current efforts to increase the representation of women in senior positions, including in Parliament and the Government	Tajikistan	Accepted	2	Women's rights
166	Pursue its efforts in the field of promoting the rights of women	Tunisia	Accepted	2	Women's rights
167	Continue improving the living standards of its people through guarantees of the broader implementation of economic, social and cultural rights	Uzbekistan	Accepted	2	ESC rights - general
168	Continue its positive work in combating racial discrimination and related intolerance	Uzbekistan	Accepted	2	Racial discrimination



169	Continue its successful social policy, adopting actions that increase the provision of social services and giving priority to the most disadvantaged	Venezuela	Accepted	2	ESC rights - general
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A= Action Category (see on [our website](#))

SMR = State making recommendation

Contact

UPR Info

Rue de Varembé 3
CH - 1202 Geneva
Switzerland

Website:

<http://www.upr-info.org>



Phone:

+ 41 (0) 22 321 77 70

Fax:

+ 41 (0) 22 321 77 71

General enquiries

info@upr-info.org

Follow-up programme

followup@upr-info.org

Newsletter "UPR Trax"

uprtrax@upr-info.org