

Position of Belarus on UPR recommendations

The following recommendations enjoy the support of Belarus:

138.2-138.5, 138.7, 138.9, 138.12, 138.19, 138.23, 138.27, 138.31, 138.37, 138.38, 138.44-138.46, 138.48-138.50, 138.52, 138.55-138.62, 138.64 as being already implemented.

In Belarus, every citizen is guaranteed the right to vote and be elected in equal periodic elections held on universal suffrage by secret ballot.

138.70 as being already implemented.

The Belarusian legislation is based on the principle of equal treatment and is discriminatory-neutral, since it does not provide an advantage to a particular group of people, depending on the presence / absence of any feature, the existence of which is objectively not justified.

138.71, 138.72, 138.74 as being already implemented.

The Roma population has full opportunities to exercise their rights on an equal basis with all ethnic groups of the population of Belarus.

138.78-138.83, 138.86, 138.87, 138.89, 138.90, 138.93, 138.96, 138.102, 138.103 as being already implemented.

All allegations of unlawful acts, including those related to torture and ill-treatment, are investigated in accordance with national legislation, the perpetrators bear responsibility determined by an independent court, as provided for by the legislation of the Republic of Belarus. The Criminal Code of the Republic of Belarus contains the definition of torture established in the UN Convention against Torture.

138, 104, 138.109 as being already implemented (see 138.103).

138.111 as being already implemented.

The Law of the Republic of Belarus “On the Procedure and Conditions of Detention of Persons” of 16 June 2003 No.215-3 and other legislation regulating conditions of detention are in accordance with the UN Standard Minimum Rules for the Treatment of Prisoners (Nelson Mandela Rules).

138.115-138.124, 138.141-138.143, 138.144 as being already implemented.

The freedom of opinion, conviction and their free expression as well as freedom of assembly that do not violate the law and order and the rights of other citizens are guaranteed by the Constitution of the Republic of Belarus. National provisions are in line with international treaty obligations.

138.145, 138.146 as being under implementation.

138.147 as being already implemented (see 138.144).

138.148 as being already implemented (see 138.144).

138.151 as being already implemented (see 138.144 and 138.103).

138.153 as being already implemented.

The freedom to choose atheistic or religious beliefs as well as the right to profess any religion or not to profess any religion alone or jointly with others is guaranteed by the legislation of Belarus. National provisions are in line with international treaty obligations.

138.157 as being already implemented (see 138.144).

138.159 as being under implementation.

138.160 as being already implemented (see 138.144).

138.162 as being under implementation.

138.165, 138.167, 138.172 as being already implemented (see 138.144).

138.175 as being already implemented (see 138.144).

138.181, 38.182 as being already implemented (see 138.144).

138.184, 138.186-138.188, 138.192, 138.197, 138.203, 138.212, 138.216-138.228, 138.230-138.244, 138.246, 138.247, 138.248 as being already implemented (see 138.20).

138.249, 138.250-138.252 as being already implemented (see 138.20).

138.253, 138.254 as being already implemented.

All criteria and indicators of the socially dangerous situation of a minor are clearly defined in national legislation, poverty and disability are not included in these criteria.

138.255 as being already implemented.

The punishment of imprisonment assigned to minors is constantly decreasing.

138.256 as being already implemented.

In Belarus, in fact, child-friendly justice based on restorative procedures is being implemented. The organization of juvenile justice is resolved through the specialization of judges, which allows, within the framework of the existing legal institutions, to fully ensure a strictly individual approach to each case against a juvenile.

138.257-138.266.

The following recommendations enjoy the partial support of Belarus:

138.20 supported in respect of introduction of criminal liability for domestic violence and considered as being already implemented in the part of criminal liability for all forms of domestic violence (physical, psychological, sexual). The Criminal Code of the Republic of Belarus provides for criminal liability. At the same time, this responsibility is gender neutral: both a woman and a man can be a victim of violence (the person who committed it).

138.32 supported in respect of continue cooperation with the Human Rights Council and its mechanisms.

138.33 supported in respect of a constructive interaction with the treaty bodies and special procedures of the United Nations.

138.34 supported in respect of enhancing a cooperation with the United Nations human rights mechanisms.

138.35 supported in respect of a cooperation with OHCHR and special procedures mandate holders.

138.36 supported in respect of a cooperation with other special rapporteurs of the United Nations and the OSCE.

138.68 supported in respect of the adoption of comprehensive legislation prohibiting all forms of discrimination, the investigation of statements inciting racial hatred and racial violence and being considered as already implemented (see 138.70).

138.69 supported in respect of adopting comprehensive legislation against discrimination and being considered as already implemented (see 138.70).

138.73 supported in respect of the adoption of comprehensive anti-discrimination legislation and being considered as already implemented (see 138.70).

138.97 supported in respect of considering the issue of introducing a moratorium on the executions with a view to fully abolishing the death penalty.

138.110 supported in respect of amending the Criminal Code with an article providing for liability for all kinds of torture and being considered as already implemented (see 138.103).

138.154 supported in respect of enabling a diversity of opinions in the public sphere through free and independent media.

138.176 supported in respect of a respect the right of peaceful assembly.

138.177 supported in respect of ensuring the right of people to peaceful assembly.

138.178 supported in respect of a strict compliance with its obligations under the International Covenant on Civil and Political Rights.

138.179 supported in respect of ensuring that all people can exercise their right to freedom of peaceful assembly.

138.183 supported in respect of bringing legislation on freedom of association in full compliance with its international obligations and being considered as already implemented (see 138.144).

138.193 supported in respect of ensuring full enjoyment of freedom of expression, speech, association and peaceful assembly.

The following recommendations have been noted by Belarus:

138.1, 138.6, 138.8, 138.10, 138.11, 138.13-138.18, 138.21, 138.22, 138.24-138.26, 138.28-138.30, 138.39-138.43, 138.47, 138.51, 138.53-54, 138.63, 138.65-138.67, 138.75-138.77, 138.84, 138.85, 138.88, 138.91, 138.92, 138.94, 138.95, 138.98-138.101, 138.105-138.108, 138.112-138.114, 138.125-138.140, 138.149, 138.150, 138.152, 138.155, 138.156, 138.158, 138.161, 138.163, 138.164, 138.166, 138.168-138.171, 138.173, 138.174, 138.180, 138.185, 138.189, 138.190, 138.191, 138.194, 138.195, 138.196, 138.198, 138.199, 128.200, 138.201, 138.202, 138.204-138.207, 138.208-138.210, 138.211, 138.213-138.215, 138.229, 138.245.

Regarding the recommendations that have been noted, Belarus participates in most international human rights treaties and will continue to study the possibility of expanding its international obligations in this area.

Belarus does not consider itself bound by the politicized country-specific resolutions of the Human Rights Council, including resolution 45/1 and others, which established and extend the mandate of the special rapporteur on the situation of human rights in Belarus, as well as similar decisions of regional organizations.

Belarus confirms its interest in cooperation with OHCHR and the thematic special procedures of the Human Rights Council within the framework of their mandates and taking into account national interests and priorities.

Belarus continues to consider the feasibility of establishing a human rights institution in the country in accordance with the Paris Principles.

Belarus will continue to conduct national dialogue on the moratorium or abolition of the death penalty.