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45/... Situation of human rights in Belarus in the run up to the 2020 presidential election and its aftermath

The Human Rights Council,

Guided by the purposes and principles of the Charter of the United Nations, the provisions of the Universal Declaration of Human Rights, the International Covenants on Human Rights and other applicable human rights instruments,

Having held at its 45th regular session an urgent debate to discuss the situation of human rights in Belarus in the run up to the 2020 presidential election and its aftermath,

Recalling all resolutions adopted by the Commission on Human Rights, the General Assembly and the Human Rights Council on the situation of human rights in Belarus, including Council resolution 44/19 of 14 July 2020,

Recalling further the statement by the United Nations High Commissioner for Human Rights on 12 August 2020, the statement made by the United Nations Secretary General's office on 13 August 2020, and joint statements made by Special Procedures mandate holders since the presidential election in Belarus on 9 August 2020,

1. *Expresses deep concern* about the overall human rights situation in Belarus, and its deterioration in the run-up to the 2020 presidential election held on 9 August 2020 and its aftermath;

2. *Regrets* that the Government of Belarus has not fulfilled its obligations with regard to the right to vote and to be elected at genuine periodic elections which shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the will of the electors, in accordance with inter alia its obligations under article 25 (b) of the International Covenant on Civil and Political Rights, and further regrets Belarus' failure to implement previous recommendations of the Office for Democratic Institutions and Human Rights of the organization for Security and Co-operation in Europe to hold credible elections that meet international standards and its non-cooperation in issuing a timely invitation, which precluded the deployment of a mission of the Office for Democratic Institutions and Human Rights to observe the recent presidential election;

3. *Expresses serious concern* at credible allegations of human rights violations that have taken place in Belarus in the run up to the 2020 presidential election and its aftermath, including: numerous torture; enforced disappearances; abductions and arbitrary expulsions; arbitrary detentions, including detention of minors; sexual and gender-based violence; arbitrary deprivations of life; attacks and harassment on, intimidation and detention of members of political opposition, including members of the Coordination Council, as well as politically motivated arbitrary expulsions of members of the Coordination Council from the territory of Belarus, human rights defenders, civil society representatives, journalists and other media workers and people seeking to peacefully exercise their civil and political rights; denial of the right of peaceful assembly; and denial of the right to freedom of opinion and expression, online and offline, including through attacks on the media revocation of foreign media accreditations, blocking of independent media websites and through internet shutdowns;

4. *Expresses particular concern* at credible allegations of numerous torture and cruel, inhuman or degrading treatment or punishment by law enforcement and prison officers, including in prisons and detention centres, which urgently require an independent investigation, and regrets that, though being a State party to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, Belarus has not complied with its obligations;

5. *Calls* on the Belarusian authorities to cease the use of excessive force against peaceful demonstrators, torture and cruel, inhumane or degrading treatment, and enforced disappearance, to stop arbitrary arrests and detentions on political grounds and urges them to immediately release all political prisoners, journalists, human rights defenders, members of strike committees, students and those detained in the lead up to, during and after the presidential election for exercising their human rights and fundamental freedoms;

6. *Calls* on the Belarusian authorities to enter into dialogue with the political opposition including the Coordination Council and the civil society in order to guarantee the respect for human rights law, including civil and political rights;

7. Recognises the important role played by civil society, including human rights defenders, in continuing to carry out essential human rights work, including by documenting and monitoring, in challenging circumstances, allegations of human rights violations both prior to, during and after the election.

8. *Urges* the Belarusian authorities to fulfill their obligations under international human rights law, in particular with regard to the freedom of peaceful assembly and association, the prohibition of torture and other forms of ill-treatment, freedom of opinion and expression, both online and offline, including obligations related to freedom of the media and freedom of information;

9. *Urges* the Belarusian authorities to enable independent, transparent and impartial investigations into all allegations of human rights violations in the context of the election, including the allegations of torture and cruel, inhumane or degrading treatment or punishment of detainees and protesters, enforced disappearances and to guarantee access to justice and redress for victims as well as full accountability of the perpetrators;

10. *Urges* Belarus to cooperate fully with the Special Rapporteur on the human rights situation in Belarus, in particular by granting to the Special Rapporteur free, full and unhindered access to the territory of the country, including unhindered access to all places of detention, and to extend full cooperation to thematic special procedures;

11. Requests the United Nations High Commissioner for Human Rights to closely monitor the human rights situation in Belarus in the context of the election, to present to the Human Rights Council, before the end of 2020, an interim oral update with recommendations, followed by an interactive dialogue,, and a comprehensive written report on the human rights situation in the lead up to, during and after the 2020 presidential election in Belarus during an enhanced interactive dialogue at its forty-sixth session.