

April 27, 2007

Re: Candidacy of Belarus for the UN Human Rights Council

Your Excellency,

On May 17, your government will cast a vote in the UN General Assembly (GA) for members of the UN Human Rights Council. No country can be elected unless an absolute majority of the UN General Assembly—97 members—affirmatively writes in the name of that candidate on the ballot.

Belarus, which fails to cooperate with United Nations human rights mechanisms and has one of the worst human rights records in Europe, is running for election to the Human Rights Council from the Eastern European Group. We write to urge your government to commit itself to opposing Belarus' election to the Council, and to encourage other governments to also oppose Belarus. Your opposition would mean that you would not write in the name of Belarus on its secret ballot in the May 17 election, but instead leave the line blank or vote for another candidate.

Under General Assembly resolution 60/251 establishing the Council which your government supported last year, "member States shall take into account the contribution of candidates to the promotion and protection of human rights and their voluntary pledges and commitments made thereto" when electing new members. That resolution also requires that Council members (1) "fully cooperate with the Council," and (2) "uphold the highest standards in the promotion and protection of human rights." Election of Belarus to the Council would render these standards meaningless, and severely damage the new Council's credibility.

**Failure to Cooperate with the Human Rights Council**

Rather than "fully cooperate" with the Human Rights Council as is required by the General Assembly resolution, Belarus has frequently refused to cooperate with special procedure mandate-holders. The Special Rapporteur on the human rights situation in Belarus noted the "absolute refusal to cooperate on the part of the Government of Belarus," including its refusal of all visit requests, of all efforts for constructive dialogue, and of any response to conclusions and recommendations. Two requests by other special procedures mandate-holders are also outstanding.

Only four months ago, the UN General Assembly itself expressed its deep concern with Belarus' failure to cooperate with the mechanisms of the Human Rights Council. In Resolution 61/175 the Assembly insisted that the Government of Belarus now cooperate with "all the mechanisms of the Human Rights Council, in particular with the Special Rapporteur." Belarus has also barred the EU's former special representative on human rights, Michael Matthiessen, from visiting the country.

**Failure to Uphold the Highest Standards of Human Rights**

Rather than “uphold the highest standards” of human rights, Belarus has an extremely poor human rights records, and as noted above was singled out for criticism in a resolution just adopted by the General Assembly in December 2006. A copy of GA resolution 61/175 is attached for your reference.

Belarusian authorities severely persecuted opposition parties and leaders both before and after the March 19, 2006 election in which President Alexander Lukashenka was elected for a third term with more than 80 percent of the vote. The Organization for Security and Co-operation in Europe (OSCE) concluded that the election failed to meet the organization's standards for democratic elections, citing harassment of opposition candidates and campaign workers, heavily biased media coverage, lack of transparency in ballot counting, and other problems.

Belarusian authorities have stifled the media by criminalizing adverse news coverage, terminating publishing and distribution contracts, and refusing to investigate or prosecute the murder of journalists. The authorities have curbed the right to peaceful assembly by new criminal code provisions; violently dispersing, arresting and fining peaceful protesters, and sentencing political party leaders to jail for participating in protests. The government severely restricts the activities of human rights groups, targeting in particular the Belarusian Helsinki Committee, the only remaining registered human rights organization, which is facing politically motivated charges of tax evasion on tax-exempt grants from the European Union.

Gross and systematic human rights abuses in Belarus have been repeatedly condemned in the three annual reports of the UN Special Rapporteur on the situation of human rights in Belarus. At least six holders of UN special procedure thematic mandates—including those on the right to freedom of opinion and expression, on torture, on human rights defenders, on enforced or involuntary disappearances, on the independence of judges and lawyers, and on arbitrary detention—have similarly expressed grave concerns over the human rights situation in Belarus.

In February 2004, the Parliamentary Assembly of the Council of Europe accused high-ranking Belarusian officials of involvement in the disappearances of the former Interior Minister, Prime Minister, electoral commission chairman, and an independent journalist, and criticized the detention of two human rights activists for distribution of the Assembly's disappearances report. The Council of Europe has refused to admit Belarus for membership in the institution due to the government's deeply repressive policies.

In November 2006, the Third Committee of the UN General Assembly adopted a resolution expressing deep concern with the failure of Belarus to hold free and fair elections, arbitrary use of State power against opposition candidates, routine harassment and arrest of political and civil society activists, harassment and detention of journalists, implication of government officials in the enforced disappearance or summary execution of opposition politicians and journalists, forced closure of the University of Belarus, and harassment and closure of civil society organizations and harassment and prosecution of human rights defenders. This resolution was affirmed and adopted as GA resolution 61/175 in plenary session on December 19, 2006 by a vote of 72 to 32, with 69 abstentions.

Unfortunately, the situation in Belarus has not improved since GA resolution 61/175 was adopted last December. Given the standards set for Council membership by GA resolution 60/251, your government should decline to support Belarus' candidacy at this time.

Many thanks for giving consideration to this important election which is so critical to the human rights work of the United Nations. The election of Belarus would send a deeply disturbing signal about the commitment of the General Assembly to upholding the provisions of Resolution 60/251, and would damage the credibility not only of the Human Rights Council but of the General Assembly. We urge you to oppose Belarus' candidacy for membership in the Human Rights Council, and to decline to write in the name of Belarus on its secret ballot for the May 17 election.

Representatives of the coalition would be very grateful for the opportunity to meet with you or your staff to discuss our concerns regarding the position your government will take on the candidacy of Belarus. To arrange a meeting, your staff may contact Rania Suidan at +1-212-216-1808.

With assurances of our highest respect,

*Helen Darbishire, Executive Director*  
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*Guelord Bahati Mbaenda, Directeur*  
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IMPARSIAL - The Indonesian Human Rights Monitor

Independent Social Ecological Movement/Nezavislé sociálně ekologické hnutí –  
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The Legal Aid Society of Uzbekistan

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Mexican Commission for the Defense and Promotion of Human Rights/Comisión Mexicana de Defensa y Promoción de los Derechos Humanos, A.C.

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People in Need (Czech Republic)

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Physicians for Human Rights

*Lenka Surotchak, Director*  
Pontis Foundation (Slovakia)

*Vo Van Ai, President*  
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- *Sylla Aminata Savane, Advocacy Director for Children* (Guinea)
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- *Tangara Soumana* (Mali)
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