Parliamentary Assembly
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COUNCIL OF EUROPE
CONSEIL DE L'EUROPE

Resolution 1790 (2011)[1]
Final version

The situation in Belarus in the aftermath of the presidential election

Parliamentary Assembly

1. The Parliamentary Assembly is dismayed by the unprecedented wave of violence, intimidation, mass arrests and prosecution of political opponents, human rights defenders, media workers, students and citizens of Belarus that followed the announcement of the results of the presidential election that took place in Belarus on 19 December 2010.

2. Over 600 people were arrested, including presidential candidates, whereas assaults and searches were carried out in the homes of opposition leaders, human rights defenders and journalists, as well as on the premises of several non-governmental organisations and media outlets. In the month that followed the election, the crackdown continued in a more targeted way and today still shows no signs of relenting. Such a violent repression of the political protests and targeted crackdown on political opponents, human rights defenders and media workers constitutes not only a disproportionate response to the action of the protesters but also an outright disregard for the core values upheld by the Council of Europe.

3. Welcoming the European Parliament Resolution of 20 January 2011 on the situation in Belarus, the Assembly in particular condemns the detention by security forces since 19 December 2010 of Irina Khalip, internationally recognised journalist with the Russian newspaper *Novaya Gazeta*, and the brutally wounded presidential candidate Andrei Sannikov, as well as the authorities' threat to put their 3-year-old son into a state orphanage. The Assembly also condemns the continued detention of Natalya Radina, editor of the website Charter 97, who was detained when the office of this website was raided by security forces in Minsk on 20 December 2010.

4. The Assembly reiterates its conviction that political freedoms need to be fully respected and that all individuals and groups must be able to exercise peacefully their rights to freedom of expression and assembly, including when harshly criticising the authorities and the conduct of the elections.

5. The Assembly regrets that, according to the Organization for Security and Co-operation in Europe's (OSCE) preliminary assessment of the latest presidential election, Belarus, despite some specific improvements in the election system and during the electoral campaign, still has a considerable way to go to meet the OSCE commitments, including a number of key international standards for democratic elections, such as transparency and accountability in the vote count. The elections were marked by the lack of equitable access to the media for all candidates and the unfair use of state resources to support the incumbent president.

6. The Assembly also deplores the Belarusian authorities' decision not to prolong the mandate of the OSCE office in Minsk, which has maintained a presence in Belarus since 1998.

1. Assembly debate on 27 January 2011 (8th Sitting) (see Doc. 12494, report of the Political Affairs Committee, rapporteur: Mrs Hurskainen; and Doc. 12503, opinion of the Committee on Legal Affairs and Human Rights, rapporteur: Mr Pourgourides). Text adopted by the Assembly on 27 January 2011 (8th Sitting).

7. In the light of the above, the Assembly urges the Belarusian authorities to:

7.1. release immediately all opposition candidates and their supporters, journalists and human rights defenders detained on political grounds;

7.2. cease harassment and intimidation of opposition politicians, media and civil society representatives;

7.3. conduct a transparent investigation into the abusive and disproportionate use of force by police and security forces against the demonstrators;

7.4. stop expelling students from universities and dismissing people from their work place due to their participation in the protest;

7.5. reconsider their decision to close the OSCE office in Minsk and extend its mandate in 2011 and beyond;

7.6. complete the reform process of electoral legislation and practice by taking into account the full set of recommendations of the OSCE Office for Democratic Institutions and Human Rights (ODIHR) and the European Commission for Democracy through Law (Venice Commission);

7.7. hold to account the alleged perpetrators of the disappearances of Yuri Zakharenko, Victor Gonchar, Anatoly Krasovsky and Dmitri Zavadsky, in line with Resolution 1371 (2004) on disappeared persons in Belarus;

7.8. declare a moratorium on executions as the first step towards the abolition of the death penalty, in line with Resolution 1671 (2009) on the situation in Belarus.

8. The Assembly is convinced that any sanctions and restrictions in contacts and interactions with those responsible for the events, including the country's highest officials, should not lead to further isolation of the Belarusian people.

9. The Assembly is also convinced of the usefulness of smart sanctions targeting those personally responsible for the most flagrant acts of repression, provided they are inflicted following a fair and transparent procedure. It therefore invites all Council of Europe member states, including those which are not members of the European Union, to join the European Union's targeted sanctions against Belarusian officials.

10. The Assembly therefore resolves to strengthen dialogue with Belarus' democratic forces, civil society, opposition groups, free media, and human rights defenders. In the same vein, the Assembly calls on all Council of Europe member states to:

10.1. maintain and foster dialogue with Belarus' civil society and invest in people-to-people contacts with Belarus at all levels;

10.2. consider facilitating the granting of visas to the ordinary citizens of Belarus, as well as the possibility of establishing temporary safe havens for threatened political opponents, human rights defenders and media workers;

10.3. encourage universities to open their doors to Belarusian students who have been expelled for political activities;

10.4. support the continuation of the OSCE's office in Minsk under its established mandate;

10.5. explicitly refrain from recognising the election result of the presidential elections in Belarus;

10.6. encourage and support efforts to collect and preserve evidence against perpetrators of serious human rights violations in view of targeted sanctions and future criminal prosecutions.

11. As far as its own relations with Belarus are concerned, the Assembly recalls that, in its Resolution 1727 (2010) on the situation in Belarus: recent developments, adopted in April 2010, following a debate under urgent procedure prompted mainly by the execution of two prisoners in March 2010, it decided to put on hold its activities involving high-level contacts between itself and the Belarusian authorities, reiterating that there cannot be progress on dialogue with the Belarusian authorities without progress towards Council of Europe standards.

12. In view of the current additional serious setbacks, the Assembly reaffirms its decision to put on hold its activities involving high-level contacts with the Belarusian authorities. It further calls on the Bureau of the Assembly not to lift the suspension of the special guest status for the Parliament of Belarus:

12.1. until a moratorium on the execution of the death penalty has been decreed by the competent Belarusian authorities;

12.2. until there is substantial, tangible and verifiable progress in terms of respect for the democratic values and principles upheld by the Council of Europe.

13. The Assembly calls on all the political parties of the member states of the Council of Europe and the European Parliament to take active measures in supporting their sister parties in Belarus by strengthening the personal assistance to the imprisoned leaders and their family members, providing financial support for the functioning of the parties, and inviting them to participate actively in European meetings of the parties at all levels.