Parliamentary Assembly
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Resolution 2530 (2024)[1]

A democratic future for Belarus

Parliamentary Assembly

1. The Parliamentary Assembly reaffirms its dedication to supporting and advocating for the rights, freedoms and safety of all Belarusians. It stands in solidarity with all those whose lives have been affected by the crimes of the Lukashenka regime and reiterates its ambition to welcome a future democratic, independent, sovereign, peaceful and prosperous Belarus as a member of the Council of Europe.

2. The Assembly commends the outstanding progress achieved by the Belarusian democratic forces in exile, under the leadership of Sviatlana Tsikhanouskaya, in co-ordinating and channelling their efforts to uphold the rights of all Belarusians and bring about a democratic change in Belarus. It acknowledges and supports the European aspirations declared by Ms Tsikhanouskaya and the Belarusian democratic forces. It welcomes the creation of the United Transitional Cabinet, the central executive body of the democratic movement, together with the Coordination Council, a unified representative body of Belarusian democratic society, as entities representing the legitimate democratic aspirations of the people of Belarus.

3. In the run-up to and following the fraudulent 2020 presidential elections, the state of human rights, democracy and the rule of law further deteriorated in Belarus. The already negative trend intensified following the Lukashenka regime's participation in the Russian Federation's large-scale aggression against Ukraine, a most serious violation of international law which has led the Assembly to suspend all relations with the Belarusian authorities on the basis of its Opinion 300 (2022) "Consequences of the Russian Federation's aggression against Ukraine". The regime's decision to be an accomplice of the Kremlin in this aggression stands in stark contrast with the engagement of many Belarusians in support of Ukraine.

4. The peaceful expression of dissent by the Belarusian population has been met by brutal repression resulting in an unprecedented number of politically motivated arrests, detentions and widespread intimidation of opposition figures, journalists, activists and human rights defenders. Longer prison sentences have been handed down and legislation has been introduced to expand the definition of terrorist acts, which are punishable with a capital sentence. Torture and ill-treatment in detention have been reported. Recalling that Ales Bialiatski and Maria Kalesnikava were awarded the Václav Havel Human Rights Prize for their indomitable struggle and personal sacrifice for the promotion of democracy and human rights in Belarus, the Assembly expresses its deep concern for the fate of all political prisoners in Belarus and conveys its full support to their families.

5. There cannot be free and fair elections in a situation where freedoms of speech, assembly and association are curtailed; opposition political parties are liquidated and their leaders persecuted; the freedom of the media is not respected; and where there is no redress against these violations and no credible domestic or international election observation is allowed. The Assembly therefore expresses its serious concerns as regards the parliamentary elections to be held by the Lukashenka regime in February 2024, fearing that they will be yet another travesty of democracy, allowing the authorities to perpetuate their grip on power despite the real will of the Belarusian people.

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1. *Assembly debate* on 25 January 2024 (6th sitting) (see Doc. 15892 and addendum, report of the Committee on Political Affairs and Democracy, rapporteur: Mr Kimmo Kiljunen; and oral opinion of the Committee on Legal Affairs and Human Rights, rapporteur: Mr Emanuelis Zingeris). *Text adopted by the Assembly* on 25 January 2024 (6th sitting).
See also Recommendation 2266 (2024).

6. The repression by the Lukashenka regime against the Belarusian people is so serious, widespread and systematic that it may amount to crimes against humanity and warrants full accountability under domestic and international law. In this respect, the Assembly deplores the steps taken by the regime to secure its impunity, such as the introduction of the constitutional amendments of 2022 which give the president lifelong immunity from prosecution and the denunciation of the Optional Protocol to the International Covenant on Civil and Political Rights, which deprives individuals in Belarus of the right to lodge complaints before the United Nations Human Rights Committee.

7. The threat posed by the Lukashenka regime extends beyond the borders of Belarus: the weaponisation of migrants as a tool for hybrid war against neighbouring States, the interception and forced landing of Ryanair Flight FR4978 and the involvement in the Russian Federation's war of aggression against Ukraine are serious violations of international law, while the active support given to the forced deportation and transfer of Ukrainian children may be regarded as a sign of war crimes. All this shows the extent to which the Lukashenka regime represents a threat to international peace and security.

8. Similarly, the constitutional amendments of 2022 with which Belarus relinquished its neutrality and allowed for nuclear weapons to be deployed on its territory, together with a consistent policy by the authorities to obliterate the Belarusian culture, language and identity confirm, on the one hand, the existence of a security threat to other countries and, on the other hand, the fears expressed by many Belarusians that their country's independence and sovereignty are at risk.

9. The Assembly believes that, with a view to honouring its obligations under international law, aligning itself to Council of Europe values and preserving its sovereignty and independence, Belarus should:

9.1. immediately and unconditionally cease its support of the Russian Federation in its aggression against Ukraine, and therefore:

9.1.1. cease all support of the forced deportation and transfer of Ukrainian civilians, including children;

9.1.2. stop providing logistical or other support to Russian troops and refuse the transit of Russian troops through Belarusian territory;

9.2. refrain from threatening neighbouring countries by any means whatsoever, including through the weaponisation of migration;

9.3. accept responsibility for the interception and forced landing of Ryanair Flight FR4978 as an act of unlawful interference with civil aviation, as found by the International Civil Aviation Organization;

9.4. cease all repressive measures designed to silence dissent and ensure the unconditional and immediate release of all political prisoners and provide for their rehabilitation;

9.5. declare an amnesty for all those arrested on political grounds;

9.6. immediately put an end to all acts of torture or inhuman and degrading treatment, whether in public, citizens' homes or any place of detention;

9.7. ensure the organisation of free and fair elections, together with the respect of civil and political rights and freedoms, in line with the recommendations set out in Assembly Resolution 2371 (2021) "Urgent need for electoral reform in Belarus";

9.8. enable a peaceful transfer of power after the organisation of free and fair elections;

9.9. ensure the separation of powers, the existence of a system of checks and balances and the full independence of the judiciary;

9.10. ensure accountability under domestic law for human rights violations;

9.11. take steps to protect the Belarusian identity, culture and language, and to recognise and respect the rights of persons belonging to national minorities;

9.12. establish without delay a moratorium on the death penalty leading to its full abolition and ensure that any remaining death sentences are commuted.

10. With a view to supporting a democratic future for Belarus, the Assembly calls on Council of Europe member States to:

10.1. step up support for the democratic forces and civil society of Belarus, in particular for the Office of Sviatlana Tsikhanouskaya, the United Transitional Cabinet, the Coordination Council, Belarusian civil society, and for free and independent media;

10.2. intensify dialogue with Belarusian democratic forces by appointing special representatives to Belarusian democratic forces;

10.3. step up support to the activities of the Council of Europe Contact Group on co-operation with representatives of Belarusian democratic forces and civil society;

10.4. provide technical support and expertise for the development of democratic tools and resources for the Belarusian democratic forces and civil society;

10.5. set up or support programmes aimed at assisting Belarusian victims of violence, repression and torture;

10.6. facilitate entry and stay in safe and dignified conditions for Belarusian citizens who flee the Lukashenka regime, in line with Assembly Resolution 2499 (2023) "Addressing the specific challenges faced by the Belarusians in exile"; take measures to help them preserve their language, culture and identity; and refrain from returning them to Belarus as long as they are at risk of persecution;

10.7. maximise pressure on the Lukashenka regime by diplomatic means as well as by strengthening efforts to implement an effective system of sanctions;

10.8. maintain unity in addressing international threats posed by the Lukashenka regime, and in particular in responding to the weaponisation of migration;

10.9. continue to differentiate between the Lukashenka regime and the people of Belarus and avoid, insofar as possible, that sanctions against the former negatively affect the latter;

10.10. take into account in their policies towards the ruling regime in Belarus the International Labour Organization (ILO) Resolution of 12 June 2023 concerning the measures recommended by the Governing Body under article 33 of the ILO Constitution on the subject of Belarus.

11. Reiterating its Resolution 2372 (2021) "Human rights violations in Belarus require an international investigation", with a view to establishing accountability of the Lukashenka regime for violations of human rights and international law, the Assembly:

11.1. welcomes efforts and initiatives by international organisations, human rights defenders and civil society representatives on the ground for the collection, verification and preservation of documentation and evidence of serious human rights violations perpetrated in Belarus during and after the August 2020 presidential elections, and states its support for the International Accountability Platform for Belarus and its further strengthening;

11.2. welcomes initiatives to assess the condition of political prisoners and provide aid to them, and encourages continued efforts to gain access to detainees, including by the International Committee of the Red Cross;

11.3. calls on Council of Europe member States to support ongoing international efforts for accountability, including through the establishment of a system of accountability for the crimes and human rights violations committed against the Belarusian people, and by exercising universal jurisdiction provided for in their criminal legislation or, where applicable, by introducing this possibility into their legislation;

11.4. calls on Council of Europe member States to explore options for how the Lukashenka regime can be held accountable for its involvement in the Russian Federation's war of aggression against Ukraine;

11.5. recalling the full commitment of the Heads of State and Government of the Council of Europe in Reykjavik to fighting the impunity of perpetrators of the forcible transfer of children from Ukraine, calls on Council of Europe member States to support the investigations of the Office of the Ukrainian Prosecutor General into the role of Belarus in forced transfers of children, and the investigations of the Prosecutor of the International Criminal Court in connection with the alleged war crimes of unlawful deportation and transfer of children from or to the temporarily and illegally controlled or occupied areas of Ukraine.

12. As regards its own work, the Assembly:

12.1. resolves to further promote the participation of representatives of Belarusian democratic forces in its work so as to allow a representative delegation of Belarusian democratic forces to take an active role in any discussion taking place at the level of Assembly committees and networks during part-sessions, with the authorisation of the respective chairpersons, according to modalities to be established by the Bureau of the Assembly;

12.2. calls for the setting up of a General Rapporteur for a Democratic Belarus;

12.3. calls on the General Rapporteur for a Democratic Belarus, the General Rapporteur for political prisoners, the General Rapporteur on the situation of human rights defenders and the General Rapporteur on the abolition of the death penalty to work closely together on Belarus and to establish a structured dialogue with the Office of Sviatlana Tsikhanouskaya, the United Transitional Cabinet, the Coordination Council and their respective structures;

12.4. decides to intensify its engagement with Belarusian civil society, human rights defenders, independent journalists and academia;

12.5. commits to continue supporting the activities of the Council of Europe Contact Group on co-operation with Representatives of Belarusian democratic forces and civil society;

12.6. sets forth to revive dialogue and co-ordination with other international parliamentary assemblies with a view to supporting the Belarusian democratic forces and civil society and promoting a democratic future for Belarus;

12.7. will explore and support efforts to establish a network of parliamentary friendship groups for a democratic Belarus;

12.8. reaffirms its support for political pluralism and encourages its political groups to engage with Belarusian democratic political parties;

12.9. invites Belarusian democratic forces to make use of the Assembly's tools and expertise on the organisation of elections and on electoral processes;

12.10. notes the Urgent interim opinion on the Constitutional Reform in Belarus of 21 February 2022 of the European Commission for Democracy through Law (Venice Commission) and its comments on the draft Constitution of Belarus prepared by the Belarusian democratic forces, and encourages the Venice Commission, in line with its statute, to continue to provide its expertise on constitutional reform in Belarus and to co-operate further on strengthening the democratic forces' capacity to address issues relating to legislation and judicial practice;

12.11. resolves to continue to follow the political situation in Belarus.