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A democratic future for Belarus

Reply to Recommendation[1]: Recommendation 2266 (2024)
Committee of Ministers

1. The Committee of Ministers has carefully examined Parliamentary Assembly Recommendation 2266 (2024) "A democratic future for Belarus", which it has forwarded to the Committee of Legal Advisers on Public International Law (CAHDI) for information and possible comments.

2. The Committee of Ministers welcomes the great importance attached by the Assembly in supporting Belarusian democratic forces and civil society as well as in holding the Belarusian authorities accountable for their human rights violations and for their support to the Russian Federation in its war of aggression against Ukraine.

3. The Committee recalls that co-operation with representatives of Belarusian democratic forces and civil society remains amongst the key priorities. The Council of Europe Contact Group set up by the Ministers' Deputies in September 2022 convenes regularly. Its aim is to provide Council of Europe support and expertise to strengthen Belarusian democratic society in line with the Organisation's core values and along the activities for human rights, rule of law and democracy. To this end, the Contact Group ensures a pioneering framework for expert co-operation with Belarusian democratic forces and civil society in unprecedented conditions whereby they operate in exile against the background of ongoing political repressions in Belarus. Since its creation, five meetings have been held in Strasbourg with the participation of ten members nominated from Belarusian democratic forces and civil society as well as the representatives of the Secretariat.

4. The activities agreed by the Contact Group implemented in 2023 were wide-ranging. At its fourth meeting on 1 December 2023, the Group took stock of the progress of co-operation and agreed a new plan of activities for 2024-2025. These activities will aim at raising awareness of human rights standards, promoting the abolition of the death penalty, and strengthening political dialogue, including on aspects related to political prisoners. Capacity-building components benefitting journalists, youth, civil society and multilevel governance will be implemented and further strengthened building on previous activities. Belarusian partners will also benefit from a new special training programme for legal professionals at the Council of Europe while study visits will be extended also to civil society. Furthermore, at its fifth meeting, on 27 June 2024, the Group agreed to add to the list of activities the opening of a Council of Europe Information Point for Belarusian People in Vilnius, subject to availability of resources and ensuring its institutional sustainability.

5. At its 133rd Session, held in Strasbourg on 16-17 May 2024, the Committee of Ministers "invited its Deputies to continue supporting the work of the Contact Group on co-operation with Belarusian democratic forces and civil society, and reiterated the need to find ways to enhance co-operation with Russian and Belarusian human rights defenders, democratic forces, free media and independent civil society who are fully committed to the Organisation's values, principles and goals, and welcomed the initiatives undertaken in this respect by the Parliamentary Assembly".

6. In this context, it is appropriate to recall that, in September 2022, the Ministers' Deputies agreed to hold regular meetings with Ms Sviatlana Tsikhanouskaya and other representatives of Belarusian democratic forces in exile. The most recent exchange of views with her took place on 30 January 2024. In addition,

1. Adopted at the 1509th meeting of the Ministers' Deputies (9 October 2024).

on 25 September 2024, in the context of their regular exchanges of views on the abolition of the death penalty, the Deputies held a thematic discussion on the situation of the death penalty in Belarus with the participation of representatives of the democratic forces and civil society of Belarus.

7. The Committee of Ministers intends to continue its efforts to support democratic forces and civil society working towards the emergence of a future democratic Belarus, including by strengthening co-operation with other international organisations, in particular the European Union.

8. With respect to accountability, it is recalled that, at its 133rd Session, the Committee of Ministers "noted with satisfaction the progress made within the Core Group towards the establishment of a Special Tribunal for the crime of aggression, underscoring the international efforts to hold the political and military leadership of the Russian Federation accountable for its war of aggression against Ukraine, and emphasised that its Deputies have recently authorised the Secretary General to prepare any necessary documents to contribute to the consultations within the Core Group on a possible draft Agreement between the Council of Europe and the Government of Ukraine on the Establishment of a Special Tribunal for the Crime of Aggression against Ukraine, including its Statute, and on a possible draft enlarged partial agreement governing the modalities of support to such a Tribunal, its financing and other administrative matters." It should be noted that the Council of Europe is participating through its Jurisconsult to the work of the Core Group on the jurisdictional scope of the future Special Tribunal. In this context, the Committee reiterates its condemnation of the active participation of Belarus in the aggression of the Russian Federation against Ukraine and recalls that Belarus has placed its territory at the disposal of the Russian Federation, to be used by the Russian Federation for perpetrating an act of aggression against Ukraine.[2]

9. Regarding the accountability for the repression in Belarus, the Committee notes that the UN Human Rights Council has established a panel of independent experts on Belarus. The new body has a mandate to investigate grave ongoing abuses, collect and preserve evidence of international crimes, and identify those responsible. The Committee will keep abreast of developments in the activities of the panel.

10. Finally, the Committee draws attention to its 2011 "Guidelines on eradicating impunity for serious human rights violations". Guideline XII emphasises the importance of mutual legal assistance, prosecutions and extraditions, and cooperation to prevent and eradicate impunity.

2. A/RES/3314(XXIX) of 14 December 1974, Article 3 (f).