



## Human Rights Institute

### United Nations Human Rights Council, 50<sup>th</sup> Session

#### ***Item 4: Interactive dialogue with the Special Rapporteur on the situation of human rights in Belarus***

28 June 2022

#### **Joint Oral Statement**

The International Bar Association's Human Rights Institute, Lawyers for Lawyers, and Lawyers' Rights Watch Canada remain alarmed at the findings in the Special Rapporteur's report, including the growing number of arbitrary arrests and detentions on politically motivated grounds.

As of 22 June, 66 Belarusian lawyers have been persecuted since the 2020 elections, including through disbarment, detention, and prosecution.<sup>1</sup> Recent examples include the detention of Vitaliy Braginets,<sup>2</sup> Alexander Danilevich,<sup>3</sup> and Anastasia Lazarenko.<sup>4</sup> On 23 May, Maksim Znak was added to the Belarusian State Security Committee's "list of terrorists". This creates a chilling effect on other legal professionals, restricting human rights defenders' and political opponents' right to access independent, effective legal representation.<sup>5</sup>

We also note with concern the further deterioration of the independence of the judiciary, used by the authorities "as repressive instruments to silence dissent".<sup>6</sup> This, together with ongoing attacks against lawyers, undermines justice and perpetuates a culture of impunity.

Finally, we condemn recent amendments to the Criminal Code that expand the application of the death penalty in Belarus.<sup>7</sup>

We urge this Council to take all possible actions to ensure accountability for abuses and to prevent further deterioration of the situation, and to ensure the renewal the mandate of the Special Rapporteur.

Thank you.

<sup>1</sup> <https://defenders.by/lawyers-persecution-2020>

<sup>2</sup> <https://lawyersforlawyers.org/en/letter-on-detention-of-vitaly-braginets-and-andrey-machalau-and-criminal-case-brought-against-andrey-machala/>

<sup>3</sup> <https://www.defenders.by/news/tpost/hv40c3lgj1-advokatu-aleksandru-danilevichu-otkazali>

<sup>4</sup> <https://defenders.by/lawyers-persecution-2020#lazarenko>

<sup>5</sup> UN General Assembly. *International Covenant on Civil and Political Rights*, 16 December 1966, Article 14(3)(b), available at <https://www.ohchr.org/en/professionalinterest/pages/ccpr.aspx>.

<sup>6</sup> UNGA. *Situation of human rights in Belarus: Report of the Special Rapporteur on the situation of human rights in Belarus*, Anaïs Marin (4 May 2022) UN Doc A/HRC/50/58 [9, 82].

<sup>7</sup> <https://www.ibanet.org/Belarus-IBAHRI-condemns-extended-application-of-death-penalty>

*This statement was delivered by:*

*Francesca Restifo*

*Senior Human Rights Lawyer – UN Representative*

*International Bar Association's Human Rights Institute*

[Francesca.Restifo@int-bar.org](mailto:Francesca.Restifo@int-bar.org)