

FINAL DOCUMENT
OF THE BELARUSIAN HUMAN RIGHTS DEFENDERS' WORKING MEETING
in connection with the suggestion of the National Center of Legislation and Legal Research of
the Republic of Belarus under the Administration of the President of the Republic of Belarus to
express opinions on the issue of the National Human Rights Institution

Minsk

October 16, 2012

We have learned about the invitation of the National Center of Legislation and Legal Research (hereinafter – NCLLR) for stakeholders to express opinions on the issue of the National Human Rights Institution (hereinafter – NHRI) from the non-official information that appeared on one of the news websites. The invitation was not sent to the Belarusian human rights defenders who participated directly in the submission of the alternative report for the Universal Periodic Review (hereinafter – UPR) in 2010 and who are monitoring the implementation of the UPR recommendations accepted by Belarus.

Nevertheless, we consider it necessary to express our position on this issue.

Position of the Working meeting's participants

The suggested by the NCLLR format of the discussion of the NHRI issue does not correspond to the requirements of NGOs' participation in the process of UPR recommendations' implementation that is set by the procedure of the review.

We insist that a transparent, open and public process of the discussion of the NHRI issue is provided. This mechanism should guarantee the involvement of all stakeholders, including Viasna, Platforma and a number of other human rights organisations.

We also call upon the NCLLR to define specifically the object of the dialogue, in particular – to put forward a conception or project of the law.

As basic pre-conditions of the dialogue between the authorities and human rights organisations we demand:

- to release all prisoners convicted on political grounds, including the human rights defender Ales Bialiatski;
- to stop all forms of pressure on human rights defenders as, for instance, the court decision of October 9, 2012 on the liquidation of the human rights institution “Platforma” and the non-implementation of the UN Human Rights Committee's recommendation to restore the registration of the Human Rights Center “Viasna”.

Resume on the reasonability of NHRI's creation

The UPR recommendations on the NHRI issue are, in many ways, the result of human rights organisations' systemic work that has lasted for years. This work included the submission of the alternative report within the UPR procedure.

Being consistent, we believe that it is necessary to create the National Human Rights Institution in the framework of the implementation of UPR recommendations.

While creating the institution we believe it is necessary to follow the Principles relating to the Status of National Institutions (The Paris Principles) adopted by General Assembly resolution

48/134 of 20 December 1993, CIS Model Law on the ombudsman status and the Conception of the judicial and legal reform adopted in 1992.

We would like to inform you that the issue is under close attention of stakeholders, including those human rights organisations that submitted the alternative UPR report in 2010 and that are monitoring the implementation of UPR recommendations.

This document is open to public.

Legal Transformation Center

Alena Tankachova

Volha Smalianka

Human Rights Center “Viasna”

Valiantsin Stefanovich

Belarusian Human Rights House

Tatsiana Reviaka

Human Rights Center “Legal assistance to the population”

Ihar Rynkevich

Platforma

Andre Bandarenka

Office for the Rights of People with Disabilities

Enira Bronitskaia

Human Rights defender

Raisa Mihailovskaia

Committee “Solidarity”

Inna Kulei