



Human Rights
Institute

Lawyers' Rights Watch Canada

NGO in Special Consultative Status with the Economic and Social Council of the United Nations

51st Session of the United Nations Human Rights Council

Item 4: Interactive dialogue on the interim oral update of the High Commissioner on the situation of human rights in Belarus

23 September 2022

Joint Oral Statement

The International Bar Association's Human Rights Institute, the Law Society of England and Wales, the Council of Bars and Law Societies of Europe, Lawyers for Lawyers, and Lawyers' Rights Watch Canada remain alarmed at the deterioration of the human rights situation in Belarus, including violations against lawyers.

Since the 2020 elections, Belarusian lawyers have been subjected to politically motivated persecution, including disbarment, arbitrary arrests and detention, and prosecution, simply for performing their professional duties.¹ Since May 2022, over 200 lawyers have left the bar following detrimental amendments to the Law on the Bar and Legal Advocacy, becoming effective as of November 2021.² This seriously restricts human rights defenders' and citizens' right to independent, effective legal representation.³

We condemn the lack of accountability for gross human rights violations in Belarus since the 2020 elections, including widespread and systematic torture and ill treatment, disproportionate use of force, arbitrary arrests and detention, also confirmed by the findings in the Report of the OHCHR Examination. The Report concludes that there is sufficient basis to warrant further assessment of available evidence for pursuing international criminal accountability.

We urge this Council to take all possible actions to ensure accountability, and prevent further deterioration of the situation in Belarus and adequately resource both the Special Rapporteur and the OHCHR Examination.

Thank you.

This statement was delivered by:

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¹ Recent examples include the license revocation of Vitaly Braginets and the prosecution of Andrey Machalau. See: Right to Defence. *Another Ministry of Justice Certification. Attorney Vitaly Braginets is Disbarred* (8 August 2022) available at: <https://www.defenders.by/tpost/jgn70uhps1-another-ministry-of-justice-certificatio>; Right to Defence. *Disbarred Andrei Mochalov is sentenced to two years' restricted freedom* (23 June 2022) available at: <https://defenders.by/tpost/9pnarx5v11-disbarred-andrei-mochalov-is-sentenced-t>.

² UN Human Rights Council. *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 [85].

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

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