



EUROPEAN UNION

OSCE Permanent Council No. 1288 Vienna, 5 November 2020

EU Statement in response to the presentation of the OSCE Rapporteur's Report under the Moscow Mechanism on Alleged Human Rights Violations related to the Presidential Elections of 9 August 2020 in Belarus

Mr. Chairman, the European Union warmly welcomes Professor Wolfgang Benedek to the Permanent Council and thanks him for the report on "Alleged Human Rights Violations related to the Presidential Elections of 9 August 2020 in Belarus" prepared in accordance with the OSCE Moscow Mechanism.

We would like to recall that the Moscow Mechanism was developed to ensure respect for human rights, fundamental freedoms, democracy and the rule of law through dialogue and cooperation and assist in resolution of specific relevant questions. It should thus be understood as a tool for fostering dialogue and for supporting the participating States. Under the Moscow Mechanism all participating States have committed themselves to co-operate fully with the mission's experts, to facilitate its work and to grant the mission all facilities necessary for the independent exercise of its functions.

Regretfully, Belarus has chosen not to cooperate, neither by appointing its own rapporteur as a member of the mission nor by granting the necessary assistance and access to Professor Benedek, the latter in violation of existing OSCE commitments. Belarus also declined the opportunity to provide its comments to the draft report, which would have been attached to the final report.

The EU commends Professor Benedek for his professional and impartial overview of the human rights situation in Belarus. We thank him for all the efforts and for gathering the relevant information, collecting evidence and conducting interviews online. In this respect, we express our appreciation to ODIHR for facilitating this

process by opening a specific information channel to share information with the OSCE rapporteur.

The report clearly confirms that there is overwhelming evidence that the presidential elections of 9 August 2020 have been falsified and that massive and systematic human rights violations have been committed by the Belarusian security forces in response to peaceful demonstrations and protests. It provides us with numerous, well-documented examples of harassment and persecutions as well as testimonies of victims of torture or ill-treatment, including sexual-based violence, confirming allegations of general impunity of the security forces. The findings of the OSCE rapporteur correspond with our critical assessment of the electoral process, the human rights situation in Belarus and the non-compliance with existing OSCE commitments. They shed further light on the scope and nature of the wave of violence and repression following the presidential elections in Belarus and offer a valuable set of recommendations.

The lack of conformity with international electoral standards and the systematic violations of human rights in Belarus are the object of our constant attention. It is concerning that previous recommendations of independent experts as well as autonomous institutions remain unaddressed. This year again, the EU on numerous occasions has expressed its serious concerns about both the electoral process and the state of the human rights situation in Belarus with regards to the freedom of expression, assembly, media, as well as allegations of torture and cruel, inhuman and degrading treatment. Regrettably, our dialogue in the Permanent Council has so far failed to dispel concerns about adherence by Belarus to the OSCE commitments and principles, and the crackdown on the opposition, civil society and representatives of mass media continues unabated.

Severe manipulations of the presidential elections have taken place and gross human rights violations have happened and continue to happen every day. It is the Belarusian authorities and the Belarusian leadership that bear sole responsibility for the situation which is described in great detail in this report. The EU expresses its hope that this report and today's deliberations will contribute to improving this situation. We urge Belarusian authorities to make full use of the report and to fully and timely implement its recommendations, including invalidating the results of the

presidential elections of 9 August 2020 and organizing new genuine presidential elections based on international standards; immediately stopping all violence, in particular torture and ill-treatment against peaceful protesters and opponents; immediately and unconditionally releasing all political prisoners as well as ensuring the safety of all journalists and media actors; conducting independent investigations into all allegations of torture, ill-treatment, sexual violence, disappearance and killing by security forces as well as bringing those responsible to justice. We furthermore welcome and support the recommendation to establish an independent international body for the in-depth investigation of human rights violations in the context of the presidential elections.

The EU encourages Belarus to deepen its co-operation with the OSCE and its institutions, particularly on matters related to fostering human rights, fundamental freedoms, rule of law and democratic standards. We urge the Belarusian authorities to finally accept the offer made by the current and incoming OSCE Chairs, with the aim of facilitating a genuine dialogue process in Belarus.

A top-down driven approach to reform the Belarusian constitution, engaging only with pre-selected interlocutors, as currently pursued by State authorities, can by no means replace a genuine and truly inclusive national dialogue and disregards the legitimate aspirations of the Belarusian people.

The EU reiterates its readiness to assist the Belarusian authorities in meeting their OSCE commitments and would be ready to support a peaceful democratic transition. The EU expects that all partners of Belarus support this dialogue. The EU will continue to closely monitor further developments in Belarus and is determined to address the human rights situation in Belarus and mobilize the international community in support of the Belarusian people including in the OSCE.

The Candidate Countries REPUBLIC of NORTH MACEDONIA*, MONTENEGRO*, SERBIA* and ALBANIA*, and the EFTA country LIECHTENSTEIN, member of the European Economic Area, as well as UKRAINE align themselves with this statement.

* Republic of North Macedonia, Montenegro, Serbia and Albania continue to be part of the Stabilisation and Association Process.