



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 23 March 2012

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PESC 397
RELEX 272**

OUTCOME OF PROCEEDINGS

from: General Secretariat of the Council

dated: 23 March 2012

to: Delegations

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Subject: Council Conclusions on Belarus

Delegations will find attached the Conclusions on Belarus as adopted by the Council (Foreign Affairs) on 23 March 2012.

Council Conclusions on Belarus

1. Recalling the Council conclusions on 31 January 2011 and 20 June 2011, the Council reiterates its grave concern about the continued lack of respect for human rights, democracy and rule of law in Belarus, and regrets that further repressive measures have taken place.
2. As the political prisoners have not been released and rehabilitated, and against the background of the further deterioration of the situation, the Council decided to designate additional persons responsible for serious violations of human rights or the repression of civil society and democratic opposition, to the list of those subject to travel restrictions and assets freezes. The Council also decided to designate further businessmen and companies benefitting from or supporting the regime and will agree further such designations at upcoming Council meetings if all Belarusian political prisoners are not released. The EU's restrictive measures remain open and under constant review.
3. The EU calls for the immediate release and rehabilitation of all remaining political prisoners. It condemns the rejection of the appeal of human rights defender and political prisoner Ales Byalyatski as well as the sentencing to two years in prison of Syarhei Kavalenka. The EU is deeply concerned about reports of torture and inhumane prison conditions of political prisoners, such as of former presidential candidates Andrei Sannikaw and Mikalay Statkevich and activists Dzmitry Bandarenka, Dzmitry Dashkevich and Mikalay Awtukhovich. The Council reminds the Belarusian authorities of their obligation under international law to ensure the respect of the prohibition of torture and cruel, inhuman and degrading treatment, and of their responsibility to investigate reports thereof.
4. Recalling the statement of HR Ashton of 17 March 2012, the EU strongly condemns the execution of Uladzislaw Kavalyow and Dzmitry Kanavalaw. The EU reiterates its call on the authorities of Belarus to join a global moratorium on the death penalty as a first step towards its universal abolition. The EU opposes capital punishment under all circumstances.

5. The EU reiterates its call on the Belarusian authorities to stop all harassment of members of the opposition, human rights defenders, journalists and civil society, and not to hinder their freedom of movement. The EU also condemns the suppression of non-violent protests and the systematic use of the judicial system as a means of repression, including against peaceful protesters. It is furthermore strongly concerned about the introduction of new legislation that will further restrict the Belarusian citizens' freedoms of assembly, association and the free flow of information on the internet, as well as the provision of support to civil society.
6. The Council again urges Belarus to respect internationally recognised diplomatic immunities and privileges of EU diplomatic representations and their personnel in Minsk and to stop the ongoing harassment and intimidation.
7. In the context of the upcoming 2014 World Ice Hockey Championship, the EU will keep International and National Ice Hockey Federations informed about its deep concerns as regards the lack of respect by Belarus for human rights, the rule of law and democratic principles.
8. The EU reiterates its firm commitment to strengthening its engagement with the Belarusian people and civil society and to supporting the democratic aspirations of the Belarusian people. The Council welcomes that the EU is now launching a "European dialogue on modernisation" with the Belarusian society on necessary reforms for the modernisation of Belarus and on the related potential development of relations with the EU, as well as possible EU support in this regard.
9. The EU calls on the Belarusian authorities to follow up on their previously announced intention to initiate a national dialogue with civil society and the opposition to pave the way for the holding of parliamentary elections in 2012 in line with international norms and standards. The EU calls on the Belarusian authorities to cooperate within the OSCE in view of a re-opening of the OSCE field presence in Belarus, and to adhere to and implement OSCE commitments across all three dimensions, in particular in the area of human rights and fundamental freedoms.

10. The EU reiterates its readiness to launch negotiations for visa facilitation and readmission agreements which would enhance people-to-people contacts to the benefit of the Belarusian population at large, and strongly regrets the unconstructive position of the Belarusian authorities in not responding so far to the letter sent in June 2011 inviting them to start negotiations. In order to facilitate the issuing of visas to the Belarusian public, the Council welcomes that the EU Member States will strive to make optimal use of the existing flexibilities offered by the Visa Code, in particular the possibilities to waive and reduce visa fees for certain categories of Belarusian citizens or in individual cases. The Council recalls the possibilities of facilitating movement of persons living in border areas, and calls on the authorities of Belarus to take the necessary steps for the entry into force of all local border traffic agreements with its neighbouring EU member states in accordance with the EU *acquis* on local border traffic.

11. The Council will continue to follow closely the situation in Belarus. The Council reiterates its commitment to the policy of critical engagement, including through dialogue and the Eastern Partnership, and recalls that the development of bilateral relations is conditional on progress towards respect by Belarus for the principles of democracy, the rule of law and human rights. The EU remains willing to assist Belarus to meet its obligations in this regard.
