



**MISSION PERMANENTE
DE LA REPUBLIQUE DU
BELARUS AUPRES DE
L'OFFICE DES NATIONS UNIES
ET DES AUTRES
ORGANISATIONS
INTERNATIONALES A GENEVE**

No 02-11/374

The Permanent Mission of the Republic of Belarus to the United Nations Office and other International Organisations in Geneva presents its compliments to the Office of the United Nations High Commissioner for Human Rights and, referring to the OHCHR's note verbale of 6 May 2024 CAT/report/art.20/Belarus, has the honour to submit to the attention of the Committee against Torture the following observations, objections and request of the Republic of Belarus concerning the summary account of the results of the proceedings relating to the inquiry on Belarus under article 20 of the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (hereinafter referred to as "the Convention").

The Republic of Belarus remains committed to its cooperation with the Committee in full conformity with the provisions of the Convention.

The Republic of Belarus considers the inquiry on Belarus conducted under article 20 of the Convention as well as the summary account of the results of the proceedings relating to this inquiry as not corresponding the requirements set in article 20(1) of the Convention. The latter provisions stipulate that the Committee initiates proceedings, if it "receives reliable information". Since the information, which the Committee accepted for the above inquiry, represent mostly highly contestable allegations of the interested parties, which are not unbiased and adequately verifiable sources, the results of such an inquiry are neither objective, nor credible and, therefore, shall be legally inadmissible according to article 20(1) of the Convention.

**Office of the United Nations
High Commissioner for Human Rights
Geneva**

017305

The Republic of Belarus draws attention to the fact that the recommendations of the Committee relate not solely to the implementation of the Convention, but to the ensuring law and order by law enforcement agencies of the Republic of Belarus, i.e. fall within the domestic jurisdiction of the Republic of Belarus, thus violating the principle of the Charter of the United Nations enshrined in its article 2(7): “Nothing contained in the present Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any state...”. This norm shall be read in line with article 103 of the UN Charter, according to which “in the event of a conflict between the obligations of the Members of the United Nations under the present Charter and their obligations under any other international agreement, their obligations under the present Charter shall prevail”.

The Republic of Belarus also notes that according to article 20(5) of the Convention “all the proceedings of the Committee referred to in paragraphs 1 to 4 of this article shall be confidential”. On this ground, the Republic of Belarus objects to any publication of the information contained in the Committee’s inquiry on Belarus and strongly requests that the present note verbale be annexed to the annual report of the Committee, if prepared in accordance with article 24 of the Convention.

The Permanent Mission of the Republic of Belarus avails itself of this opportunity to renew to the Office of the United Nations High Commissioner for Human Rights the assurances of its highest consideration.



Geneva, 8 May 2024