TO: Mr. Goro Onojima  
A: Secretary of the Human Rights Council  

31/3/2022

THROUGH:

S/C DE:

FROM: Johannes Huisman, Director  
DE: Programme Planning and Budget Division, OPPFB


I would be grateful if the text of the attached oral statement could be read and distributed prior to adoption of draft resolution A/HRC/49/L.13, entitled “Situation of human rights in Belarus in the run-up to the 2020 presidential election and in its aftermath”.

cc: Mr. Ramanathan  
Mr. Fofana  
Ms. Alirzaeva  
Ms. Veaudour
ORAL STATEMENT BY THE SECRETARIAT IN CONNECTION WITH DRAFT RESOLUTION A/HRC/49/L.13 ENTITLED “SITUATION OF HUMAN RIGHTS IN BELARUS IN THE RUN-UP TO THE 2020 PRESIDENTIAL ELECTION AND IN ITS AFTERMATH”.

1. This statement is made in accordance with rule 153 of the Rules of procedure of the General Assembly.

2. Under the terms of operative paragraphs 14, 15 and 16 of draft resolution A/HRC/49/L.13, the Human Rights Council would:

(a) Decide to extend, for a period of one year, the mandate of the United Nations High Commissioner for Human Rights, and requests the High Commissioner, with the assistance of the three appointed experts and special procedure mandate holders, to continue:

(i) To monitor and report on the situation of human rights, to carry out a comprehensive examination of all alleged human rights violations committed in Belarus since 1 May 2020 in the run-up to the 2020 presidential election and in its aftermath, including the possible gender dimensions of such violations, to establish the facts and circumstances surrounding the alleged violations, and to collect, consolidate, preserve and analyse information and evidence, and where possible, to identify those responsible with a view to contributing to accountability for perpetrators and justice for victims, such as through relevant judicial and other proceedings, including criminal proceedings in courts and tribunals that have competent jurisdiction; (para 14)

(ii) To make general recommendations on improving respect for and the protection of human rights, and to provide guidance on access to justice, including reparations, and accountability, as appropriate; (para 15)

(iii) To engage with the Belarusian authorities and all stakeholders, in particular Belarusian, regional and international civil society, international human rights organizations, United Nations agencies, the Organization for Security and Cooperation in Europe, relevant companies and States with a view to exchanging information, as appropriate, and providing support for national, regional and international efforts to promote accountability for human rights violations in Belarus; (para 16)

(b) Request the High Commissioner to present an interim oral update to the Human Rights Council at its fifty-first session, and a comprehensive written report at its fifty-second session, both to be followed by an interactive dialogue;
(c) Request the Secretary-General to provide the Office of the High Commissioner with full administrative, technical and logistical support and the resources necessary to enable it to carry out its mandate.

3. In order to implement the mandate contained in paragraphs 14, 15 and 16 of the draft resolution, the following activities and resources would be required in 2022 and 2023:

(a) General Temporary Assistance:

To support the implementation of the mandate OHCHR will establish a secretariat in a Central or Eastern European location (to be decided), which comprises of fifteen staff members appointed by the High Commissioner. A technical team of six staff members will be re-engaged to perform their functions during April–May 2022 in Geneva to allow for an uninterrupted transition to the new location.

- One P-5 Senior Human Rights Officer (10 months in the new location: 1 June 2022 – 31 March 2023) to: perform the functions of Coordinator; support the Experts on substantive, operational and administrative procedures and ensure their implementation; manage the overall work of the secretariat, including by facilitating constructive internal work-flows, information sharing, accountability and performance management; facilitate the communication between the secretariat and the rest of OHCHR as required; ensure that the secretariat carries out its tasks in accordance with agreed strategic objectives and standard human rights investigation methodology, including gender perspectives; supervise the development of the investigation plan, methodology and tools to analyse and preserve collected information and evidence; coordinate the investigating, preservation and reporting tasks of the secretariat members; oversee the development of plans to ensure that all required measures are taken to protect victims and witnesses and that effective referral pathways for survivors are used when possible, including in the context of possible reparations; accompany experts in their field missions; act as the main interlocutor on operational and substantive matters with duty bearers, member states, UN agencies, media and other stakeholders; ensure the integration of a gender perspective, including in the investigation plan, interviewing of victims, evidence gathering and preservation, analysis and report writing; take ultimate responsibility for the quality and timely delivery of reports and preservation efforts; liaise with the security coordinator/UNDSS on aspects related to the security requirements and inform accordingly the Experts and staff of the secretariat; manage the budget and finances of the secretariat and be responsible for regular operational, financial and administrative reporting to OHCHR and/or other UN entities as required; keep the Director of FOTCD, Head of AECA, and Chiefs of ECA, METS and ISU informed of the operational developments through monthly reports.
- **One G-6 Administrative Assistant (10 months in the new location: 1 June 2022 – 31 March 2023)** to: assist with all issues related to logistics, finance and human resources; provide overall administrative assistance to the Experts for all their travels, assist the secretariat for the preparation, conduct and follow up on all field missions; support the planning and organization of investigative team meetings and high level meetings in Geneva and elsewhere.

- **Two P-2 Interpreters (one position for 2 months in Geneva: 1 April – 31 May 2022 and 10 months in the new location: 1 June 2022 – 31 March 2023; one position for 9 months in the new location: 1 July 2022 - 31 March 2023)** to: provide accurate interpretation and translation as required, from Russian and vice versa, join field missions; produce accurate simultaneous interpretation of oral witness statements from Russian into English and vice versa; including those provided through remote means of communication; maintain strict confidentiality of information; and perform any other tasks, as necessary.

- **One P-4 Investigation Team Leader (2 months in Geneva: 1 April – 31 May 2022 and 10 months in the new location: 1 June 2022 – 31 March 2023)** to: manage the day-to-day operations of the secretariat fact-finding unit; serve as first reporting officer of the team of Human Rights Officers/Investigators and other experts in the secretariat; develop investigation information gathering and operational plans in accordance with standard OHCHR methodology, including on the integration of gender perspective; adapt methodologies and tools to collect and process all data; oversee, guide and conduct interviews and other evidence gathering activities (ensuring the proper recording of ‘informed consent’); oversee all team inputs with a view to ensuring that the highest quality standards of investigation, analysis, verification, preservation, are upheld, and that the conclusions and recommendations incorporated in the final report are beyond reproach; develop and oversee plans to ensure that all appropriate and necessary measures are taken to protect victims and witnesses and that effective referral pathways are identified and communicated to survivors and others as appropriate, including in the context of possible reparations; participate in, and organise, missions to sites of violations or other places as required; coordinate drafting of the internal analyses and contribute to the Team’s public reports; oversee the proper handling, secure storage and preservation of information and data in accordance with OHCHR methodology, procedures and tools adopted.

- **Four P-3s Human Rights Officers/Investigators (two positions in Geneva for 2 months: 1 April – 31 May 2022 and 10 months in the new location: 1 June 2022 – 31 March 2023; two positions in the new location for 9 months: 1 July 2022 - 31 March 2023)** to: research,
collect and analyse information and documentation pertaining to human rights, and international criminal law matters as required by the mandate, and, under the guidance of the Investigation Team Leader, propose information gathering methods and tools; conduct timely monitoring of trends and patterns of violations; conduct information gathering efforts, including through interviews with victims and witnesses, to gather information and verify allegations of violations of international human rights, or international criminal law as set out in the mandate; employ monitoring and mapping tools, including on open sources and satellite imagery, and assess the authenticity of collected materials and testimonies; identify alleged perpetrators based on OHCHR information gathering methods; participate in and organize missions to sites of violations or other places as required; ensure that all measures are taken for the protection of victims and witnesses who cooperate with the Team, respect for the ‘do no harm principle by making effective use of referral pathways and protection measures for survivors and witnesses; ensure that the information and documentation related to the investigation are protected, stored and preserved safely in accordance with procedures established; undertake preliminary analysis of information gathered and draft analytical documents, including a gender analysis; provide inputs for the reports and draft relevant sections as tasked; ensure that gender perspective and gender-sensitive approaches are integrated at all stages of the investigation, analysis and report drafting. At least one of the investigators would be focussed and specialized to conduct digital investigations on allegations of violations of international human rights or international criminal law in accordance with the mandate, and OHCHR methodologies; collect and analyse information and evidence in electronic and digital format, as well as social networking sites and assist in determining credibility and reliability of information gathered; undertake verification of open source digital contents (such as audio, images, videos, geo-location) including forensic examinations, and record results; support the analytical processes of investigations and preserving digital material in accordance with applicable standards and protocols for evidentiary material; provide advice and support on the use of open source material in investigations, analysis and reports and support in understanding elements of digital evidence; propose the use of tools to analyse and present complex data sets in understandable ways for investigation and presentation purposes; ensure that documentation and materials related to the investigations are handled, stored and preserved securely in accordance with the procedures established.

- One P-3 Investigator / Sexual and Gender-Based Violence (9 months in the new location: 1 July 2022 - 31 March 2023) to: serve as a human rights investigator on SGBV; conduct information gathering activities, including interviews and the collection and analysis of information pertaining to human rights and international criminal law; advise on the drafting of the information gathering
plan with respect to protection of SGBV victims; analyse information collected on SGBV; draft input for the final report on SGBV cases; ensure proper documentation, collection, preservation of information, analysis and reporting on cases of sexual and gender-based violence and other gender-based human rights violations and abuses and that the gender-specific impact of violations is assessed, documented, analysed and reported by all members of the secretariat; recommend referral pathways addressed to victims and survivors of SGBV, in accordance with agreed methodology and strategy, as well as OHCHR’s methodology and with full respect for the ‘do no harm principle’; provide advice to the secretariat on the integration of gender-sensitive information gathering methods including interviewing, security arrangements, witness and victim protection and safe information and data handling; participate in field missions for information gathering activities; contribute to the drafting and timely submission of analytical documents and the final report, including its recommendations and ensure that all such documents integrate a gender perspective and suggest gender-specific priority recommendations for the final report on sexual and gender-based violence.

• One P-4 Human Rights Officer / Analysis and Reporting Officer (2 months in Geneva: 1 April - 31 May 2022 and 10 months in the new location: 1 June 2022 – 31 March 2023) to: review and analyse information collected and advise secretariat staff on addressing gaps and following leads; in coordination with the Investigation Team Leader, identify gaps and orient the investigation accordingly; coordinate closely with the Legal Adviser to ensure information collected corresponds to the required legal elements; ensure gender perspectives are integrated throughout the investigation, and during analysis and report drafting, including on the gendered impact of the violations; prepare briefings, summaries of information gathered and analytical documents as required; coordinate the drafting of the report, and act as its lead drafter; ensure that information collected is properly documented, in accordance with standard OHCHR methodology in coordination with the Investigation Team Leader; assist in drawing analytical conclusions; propose the structure of reports and visualisation of the findings and conclusions; assist in developing actionable and gender-sensitive recommendations, including on reparations; lead the development of an evidence management system to ensure the eventual effective use of gathered information by separate and subsequent accountability bodies; Carry out factual analysis of the information gathered with a view to ensure its effective use by separate and subsequent accountability bodies, including identifying gaps and probable new lines of inquiry.

• One P-4 Human Rights Officer/Legal Adviser (9 months in the new location: 1 July 2022 - 31 March 2023) to: advise the secretariat on matters related to the legal framework and the legal standards
applicable to the human rights situation under investigation; conduct analysis and research on various legal matters pertaining to the investigation, and contribute to drafting of the information gathering plan; provide advice on different legal issues and assist in drafting legal opinions, memoranda and other briefing documents for secretariat staff; ensure legal accuracy of all documents prepared by the secretariat; suggest legal qualifications of gathered information; provide advice on determining responsibilities; if necessary conduct information gathering activities under the guidance of the Investigation Team Leader; draft the legal framework and analysis sections of the report, together with the Analysis/Reporting Officer and ensure findings, conclusions and recommendations are consistent with the mandate, applicable law and information gathered; ensure the legal analysis and legal qualification of the findings integrate gender perspective, including on reparations; advise the Coordinator and the secretariat on the legal findings and discuss the possible recommendations in particular, on options for accountability measures aiming at combating impunity; assist in the development of an evidence management system to ensure the eventual effective use of gathered information by separate and subsequent accountability bodies; prepare and organize, with the Evidence and Information officer, the information gathered with a view to ensure its effective use by separate and subsequent accountability bodies.

- **One P-3 Evidence and Information Officer (9 months in the new location: 1 July 2022 - 31 March 2023)** to: ensure the sound collection, preservation, registration, digitization, and secure permanent storage of collected material and maintaining its chain of custody, auditing, and authenticity; establish efficient procedures regarding the review of evidence and information; define, implement and maintain an end-to-end data model supporting efficient information flow within evidence handling processes and ensuring the provenance of collected material and confidential classifications; develop Relativity requirements and workflows, develop and implement tools and systems for forensic preservation and analysis of information and evidence; design Relativity protocols and the necessary technology infrastructure; provide training on Relativity and its tools for internal stakeholders; act as an administrator of Relativity tools.

- **One P-4 Forensic Pathologist (new post) (7 months in the new location: 1 September 2022 - 31 March 2023)** to: accompany the team when they interview victims of violence to determine the likely cause of the wound/injury including in case of SGBV; provide possible reconstruction of events and provide advice in medico-legal issues concerning the cause of death, gender, approximate age and manner of death of cases researched; visit hospitals and meet doctors who dealt with victims; visit hospitals and meet medical practitioners or others who respond to victims; collect
and analyse medical documentation; verify and corroborate the findings and the documentation of the team inter alia by drawing comparative analysis with the forensic information collected by other partners, including international and regional organizations and civil society actors (including accountability platforms), and contribute to drafting of reports as necessary.

- **One P-3 Security Sector Adviser (2 months in Geneva: 1 April – 31 May 2022 and 10 months in the new location: 1 June 2022 – 31 March 2023)** to: to collect and analyse information to assist the secretariat on the overall understanding of the Security sector and police related matters in Belarus; gather and analyse information, and produce mapping and analysis of the State police structure; de facto and de jure command responsibility, relationship between security institutions and other state institutions; advise the secretariat on all other security sector-related matters; provide an assessment of the operating environment for police and other security forces in Belarus; undertake enhanced monitoring into specific incidents identified by the secretariat; gather and analyse information to identify the units (state and non-state) and respective commanders deployed during key events; advise the secretariat on police procedures and methods including issues related to ballistics; weapons, vehicles and aircraft; as directed by the Coordinator of the secretariat, establish appropriate liaison with the police officers as required; Provide input into any reports to be written by secretariat;

(b) **Travel of representatives (trips of the three Experts):**

**2022**

- One trip of 5 working days to Geneva for consultations with OHCHR concerned sections and selected member states,

- Two trips of 7 working days to a Central or Eastern European location to work on the investigations and report with the secretariat,

- Two trips of 7 working days to Warsaw to conduct fact-finding activities,

- One trip of 7 working days to Vilnius to conduct fact-finding activities.

**2023**

- One trip of 5 working days to Geneva to participate in the presentation of the final report.
(c) Travel of staff:

**2022**

- One trip of 5 working days by 2 staff from a Central or Eastern European location to Geneva to accompany the experts for consultations with OHCHR concerned sections and selected members states,
- One trip of 7 working days by 4 staff to Vilnius to accompany the experts,
- Three trips of 10 working days by 6 staff to Vilnius to conduct fact-finding activities,
- Two trips of 7 working days by 4 staff to Warsaw to accompany the experts,
- Three trips of 10 working days by 4 staff to Warsaw to conduct fact-finding activities,
- One trip of 7 working days by 4 staff to Prague to conduct fact-finding activities,
- One trip of 7 working days by 4 staff to Latvia to conduct fact-finding activities,
- One trip of 7 working days by 4 staff to Berlin to conduct fact-finding activities,
- One trip of 7 working days by 3 staff to Copenhagen (IAPB) to conduct fact-finding activities.

**2023**

- One trip of 5 working days by 2 staff from a Central or Eastern European location to Geneva to participate in the presentation of the final report.

(d) General operating costs, including rental, utilities, cleaning services, communication costs:

- Office space in a Central or Eastern European location for the secretariat,
- ICTs costs including communication charges,
- Miscellaneous common services,
- Rental of office equipment.
(e) Furniture and equipment:
   • Acquisition of office automation equipment (PCs, printers, screens) and mobile phones,
   • Acquisition of security and safety equipment,
   • Miscellaneous office equipment.

(f) Supplies and materials:
   • Office expendable supplies and emergency supply for food and water during official missions.

(g) Contractual services:
   • Satellite images/analysis and commissioning lump sum (UNITAR/UNOSAT),
   • Subscription to DeepL Translation Software,
   • SharePoint access for the Secretariat,
   • Security anonymity software,
   • Digital forensic services.

(h) Grants and contribution:
   • Travel of witnesses and related meeting expenses.

(i) Conference services for the translation of the report for the Human Rights Council at its fifty-second session.

4. The activities referred to above relate to section 2, General Assembly and Economic and Social Council affairs and conference management and section 24, Human Rights, of the programme budget for the years 2022 and 2023.

5. The adoption of draft resolution A/HRC/49/L.13 would give rise to total requirements of $2,984,300 as follows:

(United States dollars)

<table>
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<tr>
<th>Budget section / Object of expenditure</th>
<th>Requirements</th>
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<tbody>
<tr>
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<td>2022</td>
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<tr>
<td>Section 2, General Assembly and Economic and Social Council affairs and conference management</td>
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<tr>
<td>Documentation</td>
<td>-</td>
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<td>Subtotal, section 2</td>
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<td>Section 24, Human Rights</td>
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<td>Other Staff Costs (GTA)</td>
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<td>Budget section / Object of expenditure</td>
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<td></td>
<td>2022</td>
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<tr>
<td>Travel of Representatives</td>
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<td>Travel of staff</td>
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<td>Grants and Contributions</td>
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<tr>
<td><strong>Subtotal, section 24</strong></td>
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</tr>
<tr>
<td><strong>Total</strong></td>
<td>2,215,200</td>
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</tbody>
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6. As reflected in the table above, requirements would arise as follows:

a. Additional requirements of $2,215,200 for 2022, for which additional spending authority would be sought in accordance with established budgetary procedures.

b. Requirements of $769,100 for 2023, which would be included in the proposed programme budget for 2023 for consideration of the General Assembly at its 77th session.

7. With regard to operative paragraph 16, the attention of the Human Rights Council is drawn to the provisions of section VI of General Assembly resolution 45/248B of 21 December 1990, and subsequent resolutions, the most recent of which is resolution 76/245 of 24 December 2021, in which the Assembly reaffirmed that the Fifth Committee is the appropriate Main Committee of the Assembly entrusted with the responsibilities for administrative and budgetary matters, and reaffirmed the role of the Advisory Committee on Administrative and Budgetary Questions.