



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 10 October 2012

14739/12

LIMITE

**COEST 342
PESC 1213
RELEX 918**

"I/A" ITEM NOTE

from: Political and Security Committee
dated: 10 October 2012
to: Permanent Representatives' Committee/Council

Subject : Relations with Belarus
= Draft Council Conclusions

1. On 10 October 2012, the Political and Security Committee reached agreement on the text of the draft Council conclusions on Belarus as set out in Annex.
2. In this light, and subject to confirmation by the Permanent Representatives' Committee, the Council (Foreign Affairs) is invited to adopt these Conclusions at its meeting on 15 October 2012.

Draft Council Conclusions on Belarus

1. Recalling the Council conclusions of 31 January 2011, 20 June 2011 and 23 March 2012, the Council notes the importance which it attaches to this country which neighbours the EU and to the citizens of that country, and remains gravely concerned about the lack of respect for human rights, democracy and rule of law in Belarus.
2. Referring to the Statement by High Representative Catherine Ashton and Commissioner Štefan Füle, the Council regrets that the Parliamentary elections of 23 September 2012, which took place against an overall background of repression, represented another missed opportunity for Belarus to hold elections in line with OSCE and international standards. It calls on the Belarusian authorities to address the recommendations made by the OSCE/ODIHR, to cooperate fully to that end with the OSCE/ODIHR, and to permit the return of an OSCE Office to Belarus.
3. The Council reiterates its calls for the immediate release and rehabilitation of all remaining political prisoners. It notes the release of Syarhei Kavalenka as a positive signal, but regrets that this was conditional on request for a Presidential pardon. The Council also remains deeply concerned about decisions concerning additional prison sentences and continued reports of mistreatment of political prisoners.
4. The Council again calls upon the Belarusian authorities to stop the harassment of civil society, the political opposition and the independent media. The Council urges the Belarusian authorities to comply with the Human Rights Council Resolution 20/13, including to implement all recommendations contained in the report of the UN High Commissioner for Human Rights of April 2012 and to cooperate fully with the new UN Special Rapporteur on Belarus.
5. As not all political prisoners have been released and no released prisoner has been rehabilitated, and against the background of the lack of improvement as regards the respect for human rights, the rule of law and democratic principles, the Council decided to prolong the existing restrictive measures until 31 October 2013. In this context, the Council recalls its Conclusions of 23 March 2012 and reiterates that its policy on restrictive measures remains open and under constant review.

6. In the spirit of EU solidarity, the Council again calls on Belarus to respect fully internationally recognised diplomatic privileges and immunities of EU Member States' diplomatic representations and their personnel in Belarus, including to allow them to perform fully their functions.
7. The Council reiterates its firm commitment to strengthening the EU's engagement with the Belarusian people and civil society. The Council expresses its continued full support for and the intention to further elaborate the “European Dialogue on Modernisation”. It notes that the European Dialogue has stimulated a substantial debate among representatives of Belarusian society with a view to proposing concrete ideas on the reform needs and encourages the authorities of Belarus to engage in the discussions.
8. The Council reiterates the EU's 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 regrets the absence of response from the Belarusian authorities to Commission's invitation in June 2011 to start negotiations. Meanwhile, the Council welcomes that EU Member States continue 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 and would welcome the possibilities to explore ways to further reduce visa fees for Belarusian citizens.
9. The Council reiterates its commitment to the policy of critical engagement, including through dialogue and participation in the Eastern Partnership, and recalls that the development of bilateral relations under the Eastern Partnership is conditional on progress towards respect by Belarus for the principles of democracy, the rule of law and human rights. The Council reiterates the EU's willingness to assist Belarus to meet its obligations in this regard.