

PC.DEL/35/12
20 January 2012

ENGLISH
Original: RUSSIAN

Delegation of Belarus

**STATEMENT BY MR. VALERY VORONETSKY,
PERMANENT REPRESENTATIVE OF THE REPUBLIC OF BELARUS
TO THE OSCE, AT THE MEETING OF THE
OSCE PERMANENT COUNCIL**

19 January 2012

Regarding the situation surrounding the prison at Guantánamo

Mr. Chairperson,

Our delegation has also taken note of the press release distributed by the OSCE Office for Democratic Institutions and Human Rights (ODIHR) on 10 January of this year and timed to coincide with the tenth anniversary of the operation of the prison at Guantánamo.

We fully share the concern of the ODIHR Director regarding the continuing practice of confining at that facility persons suspected of terrorism without trial or the filing of charges against them.

This practice runs counter to human rights standards and to the right to a proper trial and is a direct violation of the commitments the United States has assumed within the OSCE, with specific reference to the Bucharest Document of 2001.

The prison at Guantánamo is continuing to operate despite the plans previously announced by the United States administration and, personally, by the President of the country to shut it down. What is more, the possibility of detaining persons for an indefinite period of time without formally charging them is being legalized in the United States at the federal level. Generally speaking, there is evidence in that country of the further legislative and practical erosion of civil rights and freedoms, by among other ways investing the intelligence services with unlimited powers, including the right to murder persons suspected of terrorism, the carrying out of searches, the monitoring of communications and surveillance without the proper court orders. These alarming trends cannot but cause concern.

We know from open sources of information that for many years more than 150 inmates whose cases are not being reviewed by United States courts have been held in detention at the facility in question. Furthermore, there have been reliable reports, including some by high-ranking United States government officials, of improper and inhumane treatment of detainees at that prison, their subjection to medical experiments, and the use of torture and unlawful methods of interrogation. All these accusations must be the subject of an

appropriate investigation, as was stated some time ago by official representatives of the United States.

In that context, we are seriously disturbed at the reports to the effect that the President of the United States has the authority to order the elimination without trial of citizens from any country, including the United States, whom he considers to be terrorist accomplices. This practice is unacceptable, including with regard to Guantánamo inmates.

We consider that the existence of prisons similar to the one at Guantánamo in the twenty-first century is simply unthinkable and is without any justification. This is evidence of a selective approach on the part of the United States to the implementation of its commitments in the area of human rights and also of the existence of a substantial gap between democratic foreign-policy rhetoric and the real attitude towards the country's own problems.

Given these facts, we support the call on the United States authorities by the ODHIR Director to bring to court without delay those persons being held at Guantánamo in accordance with international law, or to release them, and also to move quickly to close down this prison, something that has been urgently recommended to the United States authorities in the Universal Periodic Review of the United Nations Human Rights Council.

We expect of the United States delegation a quick and detailed response on the substance of all the concerns that have been justly voiced by the ODIHR Director. We hope that the United States will heed the opinion of the international community and will organize in the very near future a visit to Guantánamo by Mr. Juan Méndez, the Special Rapporteur of the United Nations Human Rights Council, as he has himself requested, and also that they will invite the ODIHR, on the basis of the relevant commitments undertaken within the OSCE, to monitor the trials of those persons being held at that prison.

Thank you, Mr. Chairperson.