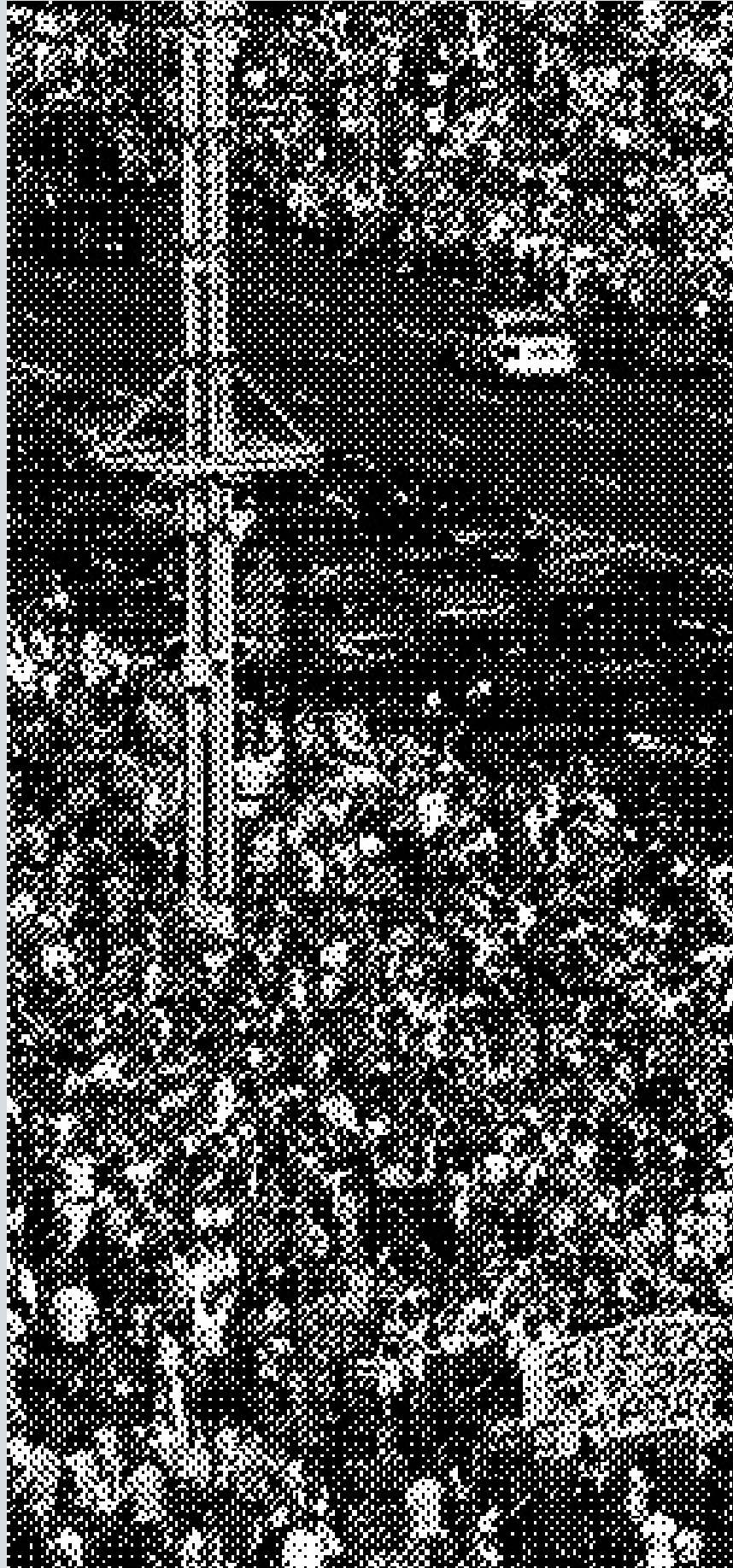


# Fifth progress report to supporting States

1 April to 30 September 2023



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## About the International Accountability Platform for Belarus

The IAPB is a coalition of independent non-government organisations that have joined forces to collect, consolidate, verify, and preserve evidence of gross human rights violations constituting crimes under international law allegedly committed by Belarusian authorities and others in the run-up to the 2020 presidential election and its aftermath. To this end, the IAPB builds on the ongoing efforts of Belarusian human rights organisations to collect information about human rights violations committed in Belarus. The information and evidence collected by the IAPB will assist independent and fair criminal investigations and prosecutions, carried out in accordance with international law and standards, in national or international courts or tribunals that have or may have jurisdiction over those crimes. The information and evidence will also support other mechanisms aiming to ensure accountability for crimes under international law allegedly committed in Belarus, including the UN Office of the High Commissioner for Human Rights Examination of the human rights situation in Belarus.

The IAPB is composed of a Steering Committee, responsible for leading the IAPB's work, a secretariat, and an Advisory Council. The Steering Committee is composed of DIGNITY – Danish Institute against Torture (lead), Human Rights Centre “Viasna” (Viasna) (co-lead), International Committee for the Investigation of Torture in Belarus (co-lead) and REDRESS (co-lead). In addition to a number of Belarusian organisations that do not wish to be publicly listed for security reasons, the Advisory Council is composed of the following organisations: European Center for Constitutional and Human Rights (ECCHR); International Federation for Human Rights (FIDH); International Rehabilitation Council for Torture Victims (IRCT); Norwegian Helsinki Committee; Physicians for Human Rights (PHR); Reporters Without Borders (RSF); and World Organisation Against Torture (OMCT). The work of the IAPB is carried out by a Secretariat composed of legal and medical practitioners with expertise and experience in international criminal investigations and prosecutions.

The IAPB was launched on 24 March 2021 in response to the Organisation for Security and Co-operation in Europe (OSCE) Moscow Mechanism rapporteur's report to the OSCE Permanent Council on 5 November 2020. Among other things, the report calls on States to hold perpetrators of torture and inhumane treatment, including sexual violence, and other gross human rights violations committed in the context of the 9 August 2020 presidential elections in Belarus to account.

The IAPB is or has been supported by a wide range of States, notably Austria, Belgium, Canada, Czech Republic, Denmark, Estonia, Finland, Germany, Iceland, Ireland, Latvia, Lithuania, the Netherlands, Norway, Poland, Romania, Slovakia, Sweden, Switzerland, Lichtenstein, the United Kingdom and the United States of America, as well as the European Union.

## EXECUTIVE SUMMARY

The IAPB's fifth progress report coincides with the conclusion of Phase II of the IAPB's work, a significant milestone in the completion of its objectives. At the conclusion of Phase II, the IAPB finalised reports analysing information and potential evidence in its collection for criminal justice authorities in three states that had submitted requests for information. In responding to these requests, the IAPB aims to further ongoing criminal investigations or instigate them, and thereby ensure effective, thorough, independent and impartial investigations and prosecutions of alleged perpetrators of crimes under international law are carried out and survivor/victims have access to remedies and reparations.

These submissions have been made at a time when the situation in Belarus continues to worsen. As of 30 September 2023, 1,490 political prisoners (164 women) remain in prison, two of whom—Mikalai Klimovich and Ales Pushkin—died in custody during the reporting period. Well-known opposition politicians, including Maria Kalesnikava, Mikola Statkevich, Siarhei Tsikhanouski and Viktor Babaryka, have been detained incommunicado for up to seven months. As of 30 September 2023, the authorities had listed 3,358 people on the “List of Citizens of the Republic of Belarus, Foreign Citizens or Stateless Persons Involved in Extremist Activities” for their participation in street protests or other forms of perceived dissent. The KGB and the Ministry of Internal Affairs had also recognized 148 entities as extremist formations, including Human Rights Center “Viasna.” In early September 2023, Lukashenka issued an edict restricting the rights of Belarusian citizens living abroad to obtain new passports at consular offices, and to carry out civil law transactions on the disposal of property and administrative procedures under powers of attorney issued outside of Belarus. Lukashenka also invited Russian private military company (PMC) “Wagner Group” to enter Belarus and permitted the deployment of Russian nuclear weapons to Belarus, posing a direct threat to the security of Belarusian citizens and residents and to broader regional and European security.

## Collection, consolidation, preservation and analysis of information and evidence

During the reporting period, the IAPB collected information and evidence from 143 survivors/victims and other witnesses (104 men and 39 women) regarding alleged crimes under international law, bringing the total collection to around 21,092 documents in the IAPB's closed-source collection. The IAPB continues to seek renewed informed consent from survivors/victims and other witnesses to ensure it remains current at the time any information and potential evidence they provided is shared with third parties. The IAPB also collected over 815,643 items from open sources, including 112,019 videos, 344,592 images and 358,899 text items from 580 sources.

## Support to accountability bodies

The IAPB continued to support the **OHCHR examination of the human rights situation in Belarus** (OEB) by facilitating access to 123 survivors/victims and other witnesses and commencing the necessary analysis to provide access (in October 2023) to supplementary information and evidence relating to a range of human rights violations allegedly committed in Belarus.

The IAPB also supported the **Organisation for Security and Co-operation in Europe (OSCE) Moscow Mechanism Rapporteur**, Professor Hervé Ascensio, by providing access to 105 cases relating to the February-March 2022 period or involving sexual violence or charges of extremism; 50 summaries of these cases; open-source intelligence files relating to state policy to commit crimes under international law; and recommendations on accountability needs. After finding that a range of human rights violations had been committed by state actors in Belarus, in his report to the OSCE, Professor Ascensio called on the international community to take all the necessary steps to ensure accountability for the repression in Belarus and support initiatives aimed at reporting and documenting human rights violations in the country, including the work of the IAPB.

The IAPB completed substantial analysis of its collection and is about to finalise submissions to **criminal justice authorities** in two states. These submissions contain factual and legal analysis of the underlying acts and contextual elements of crimes against humanity, as well as the role of state security structures involved in their commission. Once these submissions have been sent, the IAPB will have supported criminal justice authorities in three European states.

### Ongoing challenges

The IAPB faced two key challenges in carrying out its work. First, due to the escalating repressive environment in Belarus, survivors/victims and other witnesses are increasingly reluctant to provide informed consent to share information and evidence with accountability bodies. Second, some of the criminal justice authorities with whom the IAPB has engaged and from whom it has received requests for information have not been responsive when the IAPB has sought to obtain further detail regarding the scope of their requests or to collaborate on other matters. The IAPB is developing a strategy for addressing these limitations in Phase III of its work.

### Strengthening survivor-centred approaches

The IAPB continued to adopt survivor-centred approaches in its work, including by providing 314 survivors with access to evidence-based mental health and psychosocial support (MHPSS) for survivors. The reporting period saw the culmination of the IAPB's review of its survivor-centred approach and identification of strategies for strengthening it. Drawing from the IAPB's experience working with survivors and consultations with external experts, the IAPB developed a guide addressing key principles in adopting a survivor-centred approach and identifying areas in which the IAPB could further strengthen its approach, from which related practical recommendations will be finalised in a consultative process and implemented during Phase III around key topics, including outreach and survivor empowerment, doing no harm, holistic accompaniment and sustainability.

### Extension of operations in Phase III

The IAPB has secured sufficient funding to continue its operations for another three-year period. Significantly more needs to be done to ensure viable criminal cases are brought in the future, particularly in light of survivors' right to reparations for ongoing violations that continue to be committed in Belarus and must be investigated. The IAPB can now deploy its established infrastructure and expertise to take a more proactive and dynamic approach to pursuing accountability, including by: applying strategic, country-based approaches to encourage a broader range of criminal justice actors to investigate and thereafter meet their investigative and prosecutorial requirements; providing ongoing support to criminal justice actors as their investigations progress and, ideally, as cases move towards trial; continuing support for the OEB's investigation and sharing knowledge and expertise; and implementing strategies developed in Phase II to apply context-specific, gender-competent approaches to the collection and analysis of information and evidence and ensure the resulting knowledge is shared with accountability bodies.

Phase III will also provide an opportunity to bolster the survivor-centred and collaborative approaches underpinning this work, implementing recommendations made from the IAPB's internal review of its methodologies. This will include identifying and seeking to overcome social and other barriers inhibiting survivors' (gender) equal access to mental health, psychosocial and other necessary support.

## A. The situation on the ground

Since May 2020, almost 2,700 people, including about 470 women, have been recognised as political prisoners in Belarus.<sup>1</sup> As of 30 September 2023, 1,490 political prisoners (164 women) remain in prison, including five members of the Human Rights Center “Viasna”—Nobel Peace Prize winner Ales Bialiatski, vice-president of the International Federation for Human Rights (FIDH) Valiantsin Stefanovic, lawyer Uladzimir Labkovich, Viasna Volunteer Service coordinator Marfa Rabkova, and volunteer Andrei Chepiuk—and Nasta Loika from Human Constanta. In addition, there are 34 journalists and media workers currently behind bars.

On 7 May 2023, political prisoner Mikalai Klimovich, a man with a diagnosed disability, was sentenced to imprisonment for reposting a caricature of Lukashenka and thereafter died in the penal colony. On 11 July 2023, political prisoner Ales Pushkin, convicted for an art performance and paintings portraying anti-communist resistance figures in Belarus, died in custody. The official cause of death was unqualified medical treatment, however, the information available indicates he was denied medical care in the prison hospital.

There is still no reliable information about the fate of well-known opposition politicians, including Maria Kalesnikava, Mikola Statkevich, Siarhei Tsikhanouski and Viktor Babaryka, who have been kept in isolation and held incommunicado for up to seven months, without access to visits of their relatives and lawyers.

As of 30 September 2023, the authorities had listed 3,358 people on the “List of Citizens of the Republic of Belarus, Foreign Citizens or Stateless Persons Involved in Extremist Activities” for their participation in street protests or other forms of perceived dissent. The KGB and the Ministry of Internal Affairs had also recognized 148 entities as extremist formations, with 147 of them on the list for protest activity, dissemination of information, as well as political, public and human rights activities. On 23 August 2023, the Ministry of Internal Affairs deemed the Human Rights Center “Viasna” as an extremist formation,<sup>2</sup> putting the leadership of the organization, its staff, active members and volunteers under a direct and immediate threat of criminal prosecution.

Of the 15 political parties registered in Belarus as of 1 January 2023, only three pro-government parties remained officially registered. In addition, the pro-government party Belaya Rus was registered in May 2023. All opposition parties have been shut down, and the authorities also continue to dissolve civil society organizations, recently commencing the process of dissolving a large Protestant community.

In early September 2023, Lukashenka issued an edict that significantly restricted the rights of Belarusian citizens living abroad. They lost the ability to obtain new passports at consular offices and to carry out civil law transactions on the disposal of property and administrative procedures under powers of attorney issued outside of Belarus. This decision arbitrarily discriminates against the rights to dispose of property and practically denies citizenship rights to Belarusians in exile.

In June 2023, following an invitation from Lukashenka, units of the Russian private military company (PMC) “Wagner Group” entered Belarus. They were provided with territory and buildings of a former military unit in the Mahiliou Region for the purpose of establishing of a military base. The activities of this PMC have previously come under scrutiny by UN human rights experts. The Independent Fact-Finding Mission on Libya, mandated by the UN Human Rights Council found that the Wagner Group

committed numerous human rights violations during their involvement in the conflict in Libya, some of which could be qualified as war crimes.<sup>3</sup> According to an investigation by Radio France International (RFI), which cites local accounts and UN working group documents, Russian mercenaries who supported the government army in the Central African Republic are accused of looting, rape and murder that occurred between January 1 and mid-April 2021.<sup>4</sup> In January 2023, members of the Working Group on the use of mercenaries, as well as the Special Rapporteurs on counter-terrorism, torture, women's rights, enforced disappearances and minority rights, reported that, based on their information, Mali's armed forces, allegedly, together with members of the Wagner Group, executed several hundred people in that country over the course of several days in early March 2022.<sup>5</sup> The head of the UN monitoring mission, Matilda Bogner, accused the Wagner Group of committing war crimes in Ukraine, including executions of Ukrainian prisoners of war. In addition, in July 2023, according to Lukashenka,<sup>6</sup> Russian nuclear weapons were deployed to Belarus. The Belarusian authorities renounced their status of a nuclear-weapon-free state in early 2022 by holding a referendum to change the Constitution. Allowing mercenaries accused of committing crimes against humanity elsewhere to deploy to Belarus and using Belarusian territory to deploy nuclear weapons poses a direct threat to the security of Belarusian citizens and residents, as well as broader regional and European security threat. It also signals the Belarusian regime's disregard for international norms and its support for Russian aggression against Ukraine.

At the same time, Belarusian authorities have cracked down on citizens for their anti-war stance and for supporting Ukraine in the conflict against Russia. Belarusian citizens are also prosecuted merely for their intention to join the military units supporting Ukraine, under the charge of violating the formal prohibition against participating in hostilities in the territory of another state without "authorization" from the Belarusian government. Although this prohibition is vaguely defined in the criminal law and its violation is considered a less serious crime, those found guilty face imprisonment.

## B. Fulfilling Core IAPB objectives

The IAPB continued to collect information and evidence from survivors/victims and other witnesses and open sources to establish the commission of crimes under international law allegedly committed by Belarusian state authorities. This information was then shared with domestic and international accountability bodies. In the reporting period, the IAPB supported the OHCHR examination of the human rights situation in Belarus (OEB), the Organisation for Security and Co-operation in Europe (OSCE) Moscow Mechanism Rapporteur and criminal justice authorities in two states.

### a. Collection, preservation and analysis of information and evidence

During the reporting period, the IAPB collected information and evidence from 143 survivors/victims and other witnesses (104 men and 39 women) regarding alleged crimes under international law, bringing the total number of documents including testimonies, medical and court records and official documents to 21,092 documents from 2,308 survivors/victims and other witnesses. These records continue to be translated into English, where appropriate, and structured for preservation and analysis in the closed-source database. By 30 September 2023, 18,222 or 86% of files had been



reviewed and tagged according to the IAPB's coding layout by a team of dedicated bilingual (Russian-English) reviewers.

In parallel, the IAPB continued to collect open-source intelligence, its collection now reaching 815,643 items from open sources, which are preserved and being analysed in the IAPB's open-source digital archive. To review open-source material and tag it, the IAPB uses various search terms and techniques to locate relevant materials, which are then organized into thematic groups aligned with investigative and analytical goals and requests. As of September 2023, the IAPB had reviewed and tagged 3,500 open-source files, including videos of protests, arrests and other incidents, according to the IAPB's tailor-made coding layout.

## b. Assistance to accountability bodies

The IAPB continued to engage with and support accountability bodies, including the OEB, OSCE Moscow Mechanism rapporteur and national criminal justice authorities.

### i. OHCHR examination on the human rights situation in Belarus

The IAPB continues to support the OEB as it investigates the human rights situation in Belarus for a third term, following the renewal of its mandate by the UN Human Rights Council on 4 April 2023.<sup>7</sup> In the reporting period, the IAPB provided the OEB with access to 294 survivors/victims and other witnesses (180 men, 114 women) and managed the logistical arrangements necessary to interview some of them. In addition, the IAPB commenced the analysis of its digital archives necessary to respond to the OEB's request for supplementary information and evidence relating to a range of human rights violations allegedly committed in Belarus. We plan to submit this material by mid-October 2023. The IAPB also continues to closely cooperate with members of the OEB team, meeting regularly to discuss technical matters on cross-cutting areas of work.

### ii. OSCE Moscow Mechanism rapporteur

On 23 March 2023, 38 OSCE participating states invoked the Moscow Mechanism, appointing a rapporteur to examine "threats to the fulfilment of the provisions of the human dimension posed by human rights violations and abuses in the Republic of Belarus".<sup>8</sup> Professor Hervé Ascensio was appointed rapporteur on 4 April 2023, with a deadline of 18 April 2023 to report back to the OSCE.

After meeting with Professor Ascensio to discuss how the IAPB could support his examination, the IAPB provided him with read only access to 105 cases relating to the February-March 2022 period and cases involving sexual violence or charges of extremism; summaries of 50 of these cases; open-source intelligence files relating to state policy to commit crimes under international law; and recommendations for OSCE states and the international community on accountability needs. The IAPB again met with Professor Ascensio while he was on mission to provide further information about the IAPB's methodology and the situation in Belarus.

In his report to the OSCE, Professor Ascensio highlighted the work of the IAPB, noting that:

he received precise information on their processes, and ... has had personal access to a significant part of the data, corresponding to their work on



open-source documents and to a sample of confidential sources on individual cases, including testimonies and decisions of Belarusian courts. He [was] convinced that the information gathered is highly reliable.<sup>9</sup>

After finding that a range of human rights violations had been committed in Belarus, Professor Ascensio found that, “[s]o far, the Government of Belarus has not taken any steps to put an end to this situation, nor to provide effective remedies for the victims. On the contrary, the repressive policy has been steadily increasing over the past two years.”<sup>10</sup> He called on OSCE participating states to:

- Provide legal and technical support for necessary reforms in Belarus;
- Take all the necessary steps to ensure accountability for the repression in Belarus, through national, regional or international procedures;
- Undertake investigations and prosecution under extraterritorial jurisdiction, including universal jurisdiction;
- Arrange for visits to detention centres and court hearings to ensure transparency and respect for human rights;
- Offer international protection, as well as residence and work permits, to Belarusians in exile, and assist in their integration through relevant programmes; and
- Deploy an election observation mission for upcoming elections to ensure transparency and fairness.<sup>11</sup>

He also called on the international community to:

- Support initiatives aimed at reporting and documenting human rights violations in Belarus, and notably the work of the International Accountability Platform for Belarus (IAPB);
- Cooperate in national or international investigations;
- Support solidarity initiatives for victims of the Belarusian repression;
- Aid Belarusian organizations, human rights defenders, and journalists in exile to sustain their activities abroad; and
- Support initiatives aimed at preserving Belarusian language and culture abroad.<sup>12</sup>

### iii. Criminal justice authorities

As previously reported, the IAPB aims to preserve and analyse information and evidence on three pillars relevant to the alleged commission of crimes under international law in Belarus:

- a. The **crime base**, namely underlying acts of crimes against humanity such as persecution, torture, sexual and gender-based violence, deportation, imprisonment and murder/extrajudicial killings;
- b. The **contextual elements of crimes against humanity**, namely the existence of a widespread or systematic attack directed against any civilian population, pursuant to or in furtherance of a Belarusian state policy; and
- c. Perpetrator **linkage** to the underlying criminal acts, including physical perpetrators as well as those otherwise responsible due to their roles within command structures.

In the reporting period, the IAPB completed substantial analysis of its collection along these pillars with a view to drafting submissions responding to requests for access to information and evidence received from criminal justice authorities in European states. At the end of the reporting period, the IAPB was about to finalise submissions to criminal justice authorities in two states. Based on the IAPB's collection, these submissions provide factual and legal analysis of underlying acts and contextual elements of crimes against humanity, as well as the role of state security structures involved in their commission. One of these submissions also provides guidance on the application of domestic criminal law in light of international criminal law. The final touches to these submissions are being made and they will be shared with the relevant criminal justice authorities along with the underlying information and evidence shortly. Once these submissions have been made, the IAPB will have supported criminal justice authorities in three European states, one earlier submission being made in February 2023.

### c. Ongoing challenges

In the reporting period, the IAPB faced two key challenges in carrying out its work. First, due to the escalating repressive environment in Belarus, survivors/victims and other witnesses are increasingly reluctant to consent to sharing information and evidence with accountability bodies. In accordance with best practices and our obligations under the EU General Data Protection Regulation, the IAPB only collects and shares information and evidence with the explicit consent of the individuals providing it. To ensure that this informed consent remains up-to-date, and considering the security risks associated with contacting survivors/victims and other witnesses, the IAPB has systematically sought to renew these initial consents. A significant number of survivors/victims and other witnesses are currently either uncontactable, have blocked the IAPB or have refused to provide renewed consent. While the underlying reasons are not always provided, the IAPB understands that the security risks posed to these individuals and/or their family members are a contributing factor. Another factor is the loss of faith in the prospect of access to remedies or reparations in the future.

Second, some of the criminal justice authorities submitting requests to the IAPB have not been responsive when the IAPB has sought to obtain further detail regarding the scope of their requests or to collaborate on other matters. This has impacted the IAPB's ability to provide access to survivors/victims and other witnesses in one jurisdiction, such that the IAPB will not meet one request for assistance as planned in the reporting period.

The IAPB is developing strategies for addressing these limitations in Phase III of its work.

## C. Knowledge sharing and capacity building

The IAPB continues to operate as a consortium, with the Steering Committee making strategic and policy decisions in weekly meetings and jointly participating in events and stakeholder meetings, both public and confidential, throughout the reporting period. At the technical level, the IAPB operational teams across the four organisations also continued to meet weekly (or biweekly, as needed) and work in close collaboration to collect and preserve information and evidence and develop responses to requests

from accountability bodies. The IAPB also organised a training for operational team members on open-source investigations by Bellingcat. The IAPB implemented a strategy to more actively engage with the Advisory Council, meeting every two months to share information and facilitate coordination and collaboration.

## D. Supporting access to mental health and psychosocial support

The IAPB continued to implement referral pathways for evidence-based mental health and psychosocial support (MHPSS) for survivors and its unified clinical monitoring and evaluation system. MHPSS is provided by Russian/Belarusian and English language specialists and accessible to survivors and all IAPB team members. Since July 2022, 314 survivors (204 women and 110 men) and Russian speaking members of IAPB teams received MHPSS services. In the reporting period, 7 English speaking members of IAPB teams received MHPSS services (38 individual and 3 group sessions). IAPB team members also received training on secondary trauma and how to identify signs of burnout.

## E. Strengthening the IAPB's survivor-centred and trauma-informed approach

Adopting a survivor-centred and trauma-informed approach to pursuing accountability for crimes under international law is at the heart of the IAPB's work. In addition to continuing to implement methods by which it applies such an approach, the reporting period saw the culmination of the IAPB's review of its survivor-centred approach and identification of strategies for strengthening it. From January to September 2023, the IAPB engaged in an extensive review of its internal practices and identified practical steps to further integrate a survivor-centred approach throughout its work, particularly in its engagement with survivors.

### a. Methodology: Consultations on survivor-centred approaches to documentation

In recent years, civil society-led accountability initiatives have multiplied, leading to the development of new survivor-centred practices. Accordingly, to understand best practices approaches and identify opportunities for strengthening its survivor-centred approaches, the IAPB consulted with civil society organisations and non-government organisations, as well as UN bodies, engaged in collecting information and evidence on crimes under international law for accountability purposes and providing support to survivors. These included Trauma Treatment International (TTI), the International, Impartial and Independent Mechanism (IIIM), the International Rehabilitation Council for Torture Victims (IRCT) and the Commission for International Justice and Accountability (CIJA). The IAPB also engaged in an internal review process, documenting procedures relating to and methods of engagement with survivors in the context of implementing the IAPB's objectives.

### b. Next steps

Drawing from the IAPB's experience working with survivors and consultations with external experts, the IAPB developed a guide addressing key principles in adopting

a survivor-centred approach. The guide demonstrates how these principles can be implemented at various stages in the documentation process, including reaching out to survivors, identifying and responding to their needs, shaping the methodology of documentation around survivors, and addressing secondary trauma. The guide identifies areas in which the IAPB could further strengthen its approach, from which related practical recommendations will be finalised in a consultative process and implemented during Phase III. Key questions that will be addressed include the following:

- **Outreach and survivor empowerment:** The IAPB will continue to integrate a survivor-centred approach into its survivor outreach and information strategy, including through convening survivor forums, expanding its engagement with organisations and community-run initiatives that work with survivors to reach different survivor groups, and expanding its survivor-centred media presence and engagement. The IAPB will also consider how to better empower survivors, expanding ways to communicate with survivors regarding the work of the IAPB and broader accountability processes.
- **Doing no harm:** The IAPB will continue to strengthen its digital security infrastructure through consultations with external experts and ensure continued adherence to existing security procedures through regular training and briefings.
- **Holistic accompaniment:** The IAPB will identify opportunities to expand the provision of MHPSS to make it more comprehensive and directed towards building resilience within the survivor communities. In addition, the IAPB developed a list of referral pathways for access to medical, legal and social services in countries where many survivors are currently residing, which it will continue to expand.
- **Sustainability:** The IAPB will continue to include planning for residual functions in its regular workshops, to identify which functions would be essential to maintain in the long term and identify who is responsible for them. The IAPB will also continue sensitizing donors to this complex issue to secure longer-term financial support.

## F. Public relations and advocacy

The IAPB continued to implement a cautious public relations strategy by publishing information about its work on its twitter account (@IAPBelarus) and website (www.iapbelarus.org) and maintained a cautious advocacy policy to preserve the independence and impartiality, as well as perceived independence and impartiality, of its investigative and advisory work. Nevertheless, the IAPB continued to engage at the political level in discussions with policy makers and other key stakeholders, and, at times, in public fora. In addition to a number of meetings with state representatives, speaking engagements included:

- Participation in a conference on the “Responsibility of Lukashenka’s Regime for Crimes Against Humanity and Migrant Crisis: Prospects for International Justice,” hosted by the Government of Lithuania, the United Transitional Cabinet of Belarus, the Lithuanian Ministry of Justice, Justice Hub at the Law and Democracy Centre and LRT (12 June 2023).

- Participation in the OSCE Warsaw Human Dimension Conference “Ending Impunity in Belarus: High Time for International Action to Bring the Lukashenka Regime to Justice for Crimes against Humanity in Belarus, Complicity in the Aggression against Ukraine, and Incitement to Genocide of Ukrainians” organised by iSANS | The International Strategic Action Network for Security.
- Participation in the “Promoting accountability in Belarus: the role of the OSCE and the international community” (3 October 2023).

## G. IAPB infrastructure

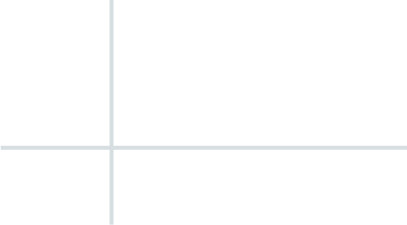
Until September 2023, the IAPB continued to be funded by Austria, the Czech Republic, Denmark, Estonia, Finland, Germany, Iceland, Ireland, Latvia, Lithuania, Liechtenstein, the Netherlands, Norway, Romania, Slovakia, Sweden, the United Kingdom and the United States, as well as the European Union.

In addition to its existing team, composed of the Head, Project Manager, Project Assistant, Senior Legal Advisor, Analyst, Open-Source Investigator, Data Systems Manager, four junior analysts and three data reviewers, the IAPB contracted another four data reviewers and three legal experts on a short-term basis in the reporting period.

The IAPB continued to partner with Mnemonic and FORCYD and concluded its contract with Partners in Justice (PJI) in the reporting period.

## H. Planning ahead – Phase III and the future

The IAPB has secured sufficient funding to continue its operations for another three-year period. While the IAPB’s support for the OEB, OSCE Moscow Mechanism rapporteur and criminal justice authorities has proven to have already had impact, significantly more needs to be done to ensure viable criminal cases are brought in the future, particularly in light of survivors’ right to reparations for ongoing violations that continue to be committed in Belarus and must be investigated. Willingness and capacity to apply universal or other forms of extraterritorial jurisdiction are inextricably tied to the availability of resources. By filling resource gaps – including the very time and labour-intensive process of identifying and accessing survivors/victims and other witnesses and corroborative evidence, analysing vast volumes of evidence under an international criminal law framework and identifying and accessing perpetrators – such capacity, and thereby willingness, can be increased. Building upon the intensive work carried out in Phases I and II, significantly more can be done by the IAPB to ensure all the above elements are met, and justice guaranteed in the long-term. The IAPB has now carried out the resource intensive work of preserving and analysing a significant proportion of the vast collection of information and evidence collected to date, establishing the complex and technical infrastructure required to do so. In the current circumstances, it is necessary for the IAPB to continue for a third phase, deploying its infrastructure and expertise in a more proactive and dynamic approach to pursuing accountability, including by: adding newly collected information and evidence on continuing crimes under international law to the information and evidence repository; applying strategic country-based approaches designed to encourage a broader range of criminal justice actors to investigate and thereafter to meet their investigative and prosecutorial needs; providing ongoing support to criminal justice actors as their investigations evolve and, ideally, cases are brought to trial; continuing



to support the OEB's investigation and share knowledge and expertise; and supporting other accountability processes as they arise. By continuing in a third phase, the IAPB will also be in a position to implement strategies developed in Phase II to apply context-specific, gender-competent approaches to the collection and analysis of information and evidence collected and ensure the resultant knowledge is shared with accountability bodies.

Phase III will also provide an opportunity to bolster the survivor-centred and collaborative approaches underpinning this work, by implementing recommendations made from the IAPB's internal review of its methodologies. This will include identifying and seeking to overcome social and other barriers inhibiting survivors' (gender) equal access to mental health, psychosocial and other necessary support, including by persons located in Belarus, and strengthening cooperation and coordination between IAPB Steering Committee and Advisory Council members on accountability-related issues.

## Endnotes

- 1 <https://spring96.org/en/news/112961>
- 2 <https://dignity.dk/en/news/joint-statement-on-belarus/>
- 3 UN Human Rights Council, Report of the Independent Fact-Finding Mission on Libya (3 March 2023), UN. Docs A/HRC/52/83, para. 38; Report of the Independent Fact-Finding Mission on Libya (27 June 2022), UN. Docs A/HRC/50/63, para. 32; Report of the Independent Fact-Finding Mission on Libya (29 November 2021), UN. Docs A/HRC/48/83, para. 38.
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