



BELARUSIAN AND INTERNATIONAL ORGANISATIONS CALL ON OTHER ICC STATE PARTIES TO SUPPORT LITHUANIA'S REFERRAL OF THE SITUATION IN BELARUS TO THE ICC

4 November 2024 – Thirteen leading human rights organisations, including the International Accountability Platform for Belarus (IAPB), have published an open letter, calling on State Parties of the International Criminal Court (ICC) to support and join [Lithuania's referral](#) to the ICC to investigate alleged crimes against humanity in Belarus.

The signatories are: DIGNITY – Danish Institute Against Torture, European Center for Constitutional and Human Rights (ECCHR), Human Constanta, The Human Rights Center Viasna, International Accountability Platform for Belarus (IAPB), International Bar Association's Human Rights Institute (IBAHRI), International Committee for the Investigation of Torture in Belarus, International Federation for Human Rights (FIDH), International Partnership for Human Rights (IPHR), International Rehabilitation Council for Torture Victims (IRCT), Norwegian Helsinki Committee, World Organization Against Torture (OMCT) and REDRESS.

“Lithuania's referral of the situation in Belarus to the ICC is an important step towards ending impunity, and by joining it, other States would strengthen it, as we saw in the Ukraine and Venezuela situations,” said Andrea Huber, Head of the IAPB. “A group referral would indicate that other States are willing to provide the Court with relevant assistance that could be crucial to the current or any future investigation, and send a united message that the international community will not tolerate impunity for such crimes.”

While Belarus is not an ICC State Party, the ICC can exercise its jurisdiction where at least part of the conduct takes place in the territory of a State Party. The investigations initiated by the ICC into possible crimes against humanity against the Rohingya population in Myanmar's Rakhine State in 2016 and 2017 established a precedent to this end.

According to information gathered by the IAPB, Belarusians fleeing the ongoing campaign of violence and repression in Belarus, have been dispersed to over 25 ICC State Parties, and these States could also join the referral. The UN Office of the High Commissioner for Human Rights (OHCHR) estimates that up to 300,000 individuals have been forced to flee Belarus due to a concerted campaign of violence and repression intentionally directed against those opposing the government or perceived as opposing it.

In its referral on 30 September 2024, the [Lithuanian government requested](#) the ICC to examine whether it had jurisdiction to investigate and prosecute alleged crimes against humanity committed by Belarusian senior officials since 1 May 2020, including deportation, persecution,

and other inhumane acts. Under the Rome Statute, deportation or forcible transfer of population constitutes a crime against humanity when committed as part of a widespread or systematic attack against a civilian population. As set out in Lithuania's referral, there are reasonable grounds to believe that the alleged crimes amount to crimes against humanity, and to a "widespread and systematic attack on the civilian population, pursuant to a state policy to eliminate opposition and dissent".

The ICC Prosecutor [will conduct](#) a preliminary examination to assess Lithuania's request to determine whether the alleged crimes fall within the ICC jurisdiction and if there is a reasonable basis to proceed with a full investigation.

"We encourage ICC State Parties to join the referral. It would demonstrate support for victims of human rights violations, and Belarusian human rights defenders who are currently imprisoned," said Pavel Sapelko, representative from Viasna, IAPB's co-lead organisation, whose founder, Nobel Prize winner Ales Bialiatski and other members remain in prison under politically motivated charges. *"It would also support the efforts of civil society organisations and human rights defenders who are documenting these crimes in Belarus."*

The open letter also highlights the pressing need for continued efforts to combat impunity through national investigations and prosecutions under the principle of universal jurisdiction to ensure that justice is served for crimes not subject to the present Lithuanian's referral.

"Evidence suggests that the Belarusian regime may have committed other international crimes, which are not part of the present referral, such as torture, sexual and gender-based violence, and enforced disappearance," said Viktoria Fedorova, representative of the International Committee for the Investigation of Torture in Belarus, IAPB's co-lead. *"In addition to supporting Lithuania's referral, we urge States to continue their national efforts in securing accountability in relation to these crimes."*

The IAPB will make available relevant evidence and information collected in support of the Prosecutor of the ICC's preliminary investigation, and to States willing to pursue a referral.

For more information, contact Andrea Huber, IAPB's Head, on anhu@dignity.dk.

About the IAPB:

The [International Accountability Platform for Belarus](#) (IAPB), created in March 2021, is a consortium of Belarusian and international NGOs that collects, consolidates, verifies, and preserves evidence of gross human rights violations allegedly committed by Belarusian authorities and others in the run-up to the 2020 presidential election and its aftermath.

The IAPB supports investigations of national prosecutors and international accountability bodies by providing access to the collected evidence and analytical products. Since its establishment, the IAPB has received eight requests for assistance from five different states, four requests for information from the UN Examination of the human rights situation in Belarus of the Office of the High Commissioner for Human Rights (OHCHR), one from the OSCE

Moscow Mechanism Rapporteur, as well as several requests from civil society organisations and lawyers working towards the investigation of crimes committed in Belarus.