

National Human Rights Index

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2023

Right to Take Part in Cultural Life:

Expert Commentary

The score:	1,4	-0,2
<i>Including scores by component:</i>		
• Participating in cultural life	1,3	-0,2
• Access to cultural life	1,7	-0,6
• Contribution to cultural life	1,0	
• Protection of cultural diversity	1,4	-0,1

In assessing the state of the right to participate in cultural life in 2023, the Index experts gave lower scores than in 2022. **Among the main reasons:**

- the cultural sphere is fully controlled by the state, repressive policy includes censorship; use of various "blacklists"; state interference in the activities of professional, creative unions, turning them into GONGOs;

- systematic use of "anti-extremist" legislation to restrict access to both artistic works (including literature, Youtube channels, music groups, etc.) and personal accounts of cultural figures;

- regulations significantly restricting the activities of tour guides and guides-interpreters came into force;

- re-registration of artisans, a significant reduction in their number and the complication of the procedure for confirming this status;

- withdrawal from a number of international agreements in the field of culture and education (Agreement on Cooperation in the Field of Education with Poland, Agreement on Cooperation in the Field of Culture, Education, Science and Technology, Media with France, suspension of the European Cultural Convention).

• Participating in cultural life

In 2023, experts state that there is no possibility to fully participate in cultural life. State interference in the realization of this right is characterized as systemic - both at the level of public policy and at the level of law enforcement and management practices.

- The cultural sphere is fully controlled by the state: cultural figures and organizations remaining in



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Belarus are forced to follow the repressive policy of state bodies, including censorship and other restrictions - otherwise, they are deprived of the opportunity to openly participate in cultural life and have access to a wide audience¹.

- One of the key mechanisms of systematic sterilization of the sphere is the use of various "black lists" of so-called "unreliable" persons disloyal to the current regime, distributed by the Ministry of Culture, the Ministry of Internal Affairs, deputy heads of cultural institutions for security and other entities. The presence of a person's name on such a list is considered a sufficient reason for dismissal, denial of employment, refusal to organize an exhibition and other forms of restriction on the exercise of the right in question. Despite the shortage of qualified personnel, the government continues to interfere in the personnel policy of cultural institutions and organizations, arbitrary repeated dismissal of people who had previously lost their positions for political reasons: there is a systematic exclusion of "unreliable" people from the profession².

- The sterilization of the sphere on the principle of loyalty is also expressed in the state's interference in the activities of professional and creative unions: experts note the actual turning them into GONGOS through the appointment of leadership controlled by the authorities, the introduction of procedures for the exclusion of dissenting people from the unions, and the creation of internal censorship mechanisms³.

- The register of organizers of cultural and entertainment events, introduced in 2022, further complicated the procedure for obtaining touring certificates, and access of cultural workers disloyal to the current government to the audience remained limited⁴. Cultural events that do not comply with the course of the state are actually held underground⁵.

- According to experts, in contrast to previous years, the use of "anti-extremist" legislation⁶ to restrict

¹ See the statement of the Minister of Culture: "... traitors have no place on stage, whether it is a state special event or a concert in an agricultural town... But at the same time, an individual approach is applied to each artist or creative team, who declared their renunciation of their former views and desire to work for the good of Belarus. If a person sincerely repents of his words, posts, likes, is ready to work for the state and publicly declare his civic position, he is given a second chance...": <https://kultura.by/news/22-fevralya-sostoyalos-zasedanie-itogovoy-kollegii-ministerstva-kulturny/>

² <https://penbelarus.org/2024/03/03/manitoryng-parushennyau-kulturnyh-pravou-i-pravou-chalaveka-u-dachynenni-da-dzeyachau-kulturny-belarus-2023-god.html>

³ See "Pressure on Creative Unions": <https://penbelarus.org/2024/03/03/manitoryng-parushennyau-kulturnyh-pravou-i-pravou-chalaveka-u-dachynenni-da-dzeyachau-kulturny-belarus-2023-god.html>

⁴ <https://penbelarus.org/2024/02/27/monitoring-narushenij-kulturnyh-prav-i-prav-cheloveka-v-otnoshenii-devatelej-kulturny-belarus-2023-god.html>

⁵ <https://penbelarus.org/2023/09/08/the-cultural-sector-in-belarus-in-2022-2023-repressions-trends.html>

⁶ It is important to understand that the consequence of recognizing products "distributed" by individuals and organizations as "extremist" is the risk of administrative or criminal prosecution when interacting with such products and blocking access to them. Recognition of a group of individuals/initiative as an "extremist formation" (see, among others, the example of Tor Band, Belarusian Association of Journalists), inclusion of individuals in the lists of "extremists" and "terrorists" also leads to criminal prosecution and disproportionate restriction of rights to the alleged violations:

<https://humanconstantia.org/razbiraemysya-s-ekstremistskimi-spiskami-chto-vxodit-v-ekstremistskie-materialy/>,



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access to both artistic works undesirable to the state (including literature⁷, Youtube channels, music groups, etc.⁸) and personal accounts of cultural figures has become systematic.

In 2023, 10 more cultural figures were added to the list of "terrorists", 80 - to the list of "extremists". No less than 182 materials on the topic of culture or accounts of cultural figures are included in the "Republican list of extremist materials".⁹

According to experts, legislative, administrative, judicial, budgetary and propaganda measures taken by the state in the sphere of culture continue to narrow the opportunities for the realization of the right to participate in cultural life. In 2023, the formalization of the removal of allegedly disloyal people from the provision of various services continued; norms came into force that provide for:

- making access to the profession of tour guides and guides-interpreters more difficult (persons with criminal records, including those on "political" articles¹⁰, are not allowed to be certified), as well as introducing new ethical requirements for these professions, including "avoidance of "subjective incorrect assessments and statements" about the state, "provocative and other negative statements or actions" on the part of tourists and sightseers, exclusion of "any form of provocation in dress and appearance"¹¹;
- re-registration of craftsmen, significant reduction in their number and complication of the procedure for confirming this status;¹²
- stricter requirements for organizers of cultural and entertainment events¹³. Persons with a criminal record under "political" articles are also not allowed to participate in events;
- expansion of the list of grounds for re-registration of publishers and producers of printed materials,

<https://humanconstantia.org/razbiraemysya-s-ekstremistskimi-spiskami-perechen-organizacij-formirovanij-ip-prichastnyx-k-ekstremistskoj-devatelnosti/>, [https://humanconstantia.org/razbiraemysya-s-ekstremistskimi-spiskami-perechen-grazhdan-belarusi-inostrannyx-grazhdan-ili-lic-bez-grazhdanstva-prichastnyx-k-ekstremistskoj-devatelnosti/](https://humanconstantia.org/razbiraemysya-s-ekstremistskimi-spiskami-perechen-organizacij-i-fizicheskix-lic-prichastnyx-k-terroristicheskoy-devatelnosti/)

⁷ See complete list: <https://penbelarus.org/2024/04/03/banned-books.html>

⁸ <https://penbelarus.org/2024/03/03/manitoryng-parushennyau-kulturnyh-pravou-i-pravou-chalaveka-u-dachynenni-dzeczychau-kultury-belarus-2023-god.html>

⁹ <https://penbelarus.org/2024/02/27/monitoring-narushenij-kulturnyh-prav-i-prav-cheloveka-v-otnoshenii-deyatelej-kultury-belarus-2023-god.html>

¹⁰ Resolution No. 582 "On Excursion Services" <https://pravo.by/document/?guid=12551&p0=C22200582&p1=1&p5=0>

¹¹ Resolution of the Ministry of Sport and Tourism of the Republic of Belarus No. 33 "On Establishing Professional and Ethical Requirements for Tour Guides and Guide-Translators". <https://pravo.by/document/?guid=12551&p0=W22340219>

¹² <https://sputnik.by/20230430/gde-minchanam-podtverdit-status-remeslennika-rasskazali-vlasti-stolitsy-1074971851.html>, <https://penbelarus.org/2024/02/27/monitoring-narushenij-kulturnyh-prav-i-prav-cheloveka-v-otnoshenii-deyatelej-kultury-belarus-2023-god.html>

¹³ Such events can only be held by a limited number of organizations under the control of the Ministry of Culture: see Council of Ministers Decision No. 608 "On the Organization and Holding of Cultural and Entertainment Events" <https://pravo.by/document/?guid=12551&p0=C22300608>



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termination and suspension of state registration certificates¹⁴.

The state also takes measures to end/suspend cooperation with European states and institutions in the cultural sphere: "in response to the policy of interference in internal affairs" Belarus terminated cooperation with Poland within the framework of the Agreement on Cooperation in the field of education¹⁵, with France - within the framework of the Agreement on Cooperation in the field of culture, education, science and technology, mass media¹⁶, and suspended the European Cultural Convention¹⁷.

In the review period, the policy of "anti-Westernism" was preserved, in particular, manifested in the continuation of persecution of the Polish and Lithuanian minorities, destruction of the Polish memorial heritage, fight against the outflow of human capital by means of pressure on schools and Polish language courses¹⁸. Discrimination of the Belarusian language (as well as the use of Belarusian vocabulary in a negative context for propaganda purposes¹⁹) and selective destruction of Belarusian and Polish historical and cultural heritage sites continued²⁰. Experts also note the worsening of the situation in connection with the information about the increased attention of the state to persons of Ukrainian nationality and origin, activists of Ukrainian organizations, expressed, among other things, in the profiling of such persons by the KGB and the Ministry of Internal Affairs. In 2023, a decision was made to forcibly liquidate the first Lithuanian public association officially registered in the country. In total, between 2021 and 2023, four Lithuanian CSOs ceased to operate (at least four more decided to self-liquidate); of the 11 registered Polish CSOs, two remained.²¹

The situation with the opportunity to choose one's cultural identity and to enjoy respect of others for one's choice is aggravated both for Belarusians themselves and for national minorities - including as a result of the adoption of amendments to the Law "On Languages in the Republic of Belarus":

- national minorities living in Belarus were deprived of the guarantee of realization of the right to

¹⁴ Law No. 283-3 "On the Amendment of the Law of the Republic of Belarus "On the Publishing Business in the Republic of Belarus" <https://pravo.by/document/?guid=12551&p0=H12300283>

¹⁵ <https://www.belta.by/society/view/vystuplenie-kochanovoj-na-zakrytii-10-j-sessii-soveta-respubliki-natsionalnogo-sobranija-sedmogo-sozyva-574775-2023/>

¹⁶ <https://www.belta.by/society/view/belarus-prekratila-dejstvie-soglashenija-s-frantsiej-v-oblasti-kultury-obrazovanija-nauki-i-smi-546351-2023/>

¹⁷ <https://pravo.by/document/?guid=12551&p0=C22300822>

¹⁸ <https://trends.belhelcom.org/storage/reviews/February2024/gc1hO7866DDq8G3X17sq.pdf>,
<https://news.zerkalo.io/life/57317.html>

¹⁹ <https://mediaiq.info/gryaznye-vonjuchie-becheshniki-ritorika-belarusskih-propagandistov-vsjo-bolshe-napominaet-fashistskuju>

²⁰ <https://penbelarus.org/2024/02/27/monitoring-narushenij-kulturnyh-prav-i-prav-cheloveka-v-otnoshenii-deyatelej-kultury-belarus-2023-god.html>

²¹ In addition, the Belarusian-Iranian Friendship Society, the Oshmiany Roma Community, the Belarusian Association of Roma, the Center of Ukrainian Culture "Sich", the public association "Syrian Community", and the International Public Organization of Armenians "Urartu" were also forcibly liquidated in 2023: <https://penbelarus.org/2024/02/27/monitoring-narushenij-kulturnyh-prav-i-prav-cheloveka-v-otnoshenii-deyatelej-kultury-belarus-2023-god.html>



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receive education in their native language,

- the circle of persons in the education system who must speak two state languages has been narrowed
- now it is only "pedagogical workers",
- The law no longer provides for the possibility of establishing pre-school and general secondary education institutions with instruction and education in the language of national minorities - the only format for studying the latter remains the establishment of separate groups and classes in existing institutions²².

The practice of studying foreign languages in secondary schools has been significantly changed. In August 2023, Deputy Minister of Education A. Kadlubai stated: "students will no longer be immersed in the culture and history of native speakers, but will be taught the culture and history of Belarus in a foreign language", the appearance of foreign language classrooms will change accordingly, cultural attributes will be removed, including "the British flag, double-decker bus, telephone booth, etc."²³

An elective course "Military Interpretation" was introduced in the subject "Foreign Language" (English) for X-XI grades of educational institutions implementing educational programs of general secondary education, the program of which contains the following instruction: "In order to form the skills and abilities necessary for a military interpreter, it is recommended to use oral and written types of work, including...two-way translation of a conversation, interrogation, questioning"²⁴. The introduction of this elective course demonstrates the militarization of education at the secondary level.

In addition, information about the culture of certain national minorities is still provided with distortions that form negative stereotypes. For example, the textbook for pupils of grades 5-9 "Genocide of the Belarusian people during the Great Patriotic War" contains a tendentious description of the activities of the Armia Krajowa as "terrorist" and "anti-Belarusian", and states: "During the war Polish, Ukrainian, Latvian and Lithuanian nationalists encroached on the territorial integrity of Belarus"²⁵. At the same time, information about the Holocaust is presented very superficially, and there is no information about the genocide of the Roma people.

• Access to cultural life

The state monopolized public information regarding the right to participate in cultural life was still aimed at covering ideologically "safe" issues, and the tendency of reducing cultural diversity

²² New wording of Article 22 of the Law: <https://pravo.by/document/?guid=3961&p0=V19003094>

²³ <https://sputnik.by/20230829/kak-v-shkolakh-belarusi-budut-izuchat-inostrannye-yazyki-rasskazali-v-minobre-1078929148.html>

²⁴ https://adu.by/images/2024/16/Ucheb-progr_Voenni-perevod_X-XI.pdf

²⁵ Textbook for students of educational institutions implementing educational programs of general secondary education with Belarusian and Russian languages of education and upbringing "Геноцид белорусского народа в годы Великой Отечественной войны" 5-9 классы - Минск: Адукацыя і выхаванне, 2023 - С.38-42



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continued²⁶. In general, the situation with access to cultural life deteriorated due to the continuing practices of recognizing information products and organizations as "extremist" with subsequent restriction of access to them, and multi-level censorship of cultural events. General control over the cultural sphere and a climate of intimidation, exacerbated, according to experts' estimates, in 2023, lead to fear of virtually any independent initiative.

Physical access to museums, libraries, cinemas and theaters is preserved, but widespread censorship, active state interference in repertoire policy, in the organization and holding of exhibitions, the provision of guided tours and other services, the purging of library collections²⁷ and other forms of interference in this sphere deprive society of effective access to various cultural activities, information, services and events.

The above-mentioned measures restricting the ability of the Polish and Lithuanian minority to learn the national language, informing about some foreign cultures with significant distortions bordering on incitement to hatred, persecution of Ukrainian organizations and activists prevent free access of minorities to their own culture, realization of their cultural identity. The outflow of qualified personnel and persecution of "disloyal" cultural figures, strengthening of cooperation with Russian figures, organizations and institutions in the cultural sphere up to replacement of dismissed specialists strengthen the threat to Belarusian identity, the possibility of development of independent Belarusian culture. Against the background of the destruction of national culture, there is a rapid filling of all spheres of cultural activity of the country with Russian works and narratives²⁸.

The right of everyone to participate on a non-discriminatory basis in any process of making important decisions that may affect their way of life and rights is also not ensured. The liquidation of non-profit cultural organizations and the practice of redistributing services that were provided by independent organizations in favor of pro-state organizations excludes opportunities for participation in decision-making processes in this sphere and effective advocacy of the interests of members of professional communities.

At the same time, cultural projects occupy an increasingly significant place in the activities of other pro-state organizations, for which cultural activity is not the main activity: Belarusian Women's Union, "Belaya Rus" association, etc.

- **Contribution to cultural life**

The experts state the impossibility to contribute to culture in general and the inaccessibility of the right to enjoy freedom of creativity on an individual basis in particular. In 2023, practices of restricting

²⁶ National Human Rights Index (2022), The Right to Participate in Cultural Life, pp. 6-7, https://belhelcom.org/sites/default/files/17_pravo_na_uchastie_v_kulturnoy_zhizni_22.pdf

²⁷ <https://penbelarus.org/2024/03/03/manitoryng-parushennyau-kulturnyh-pravou-i-pravou-chalaveka-u-dachynenni-da-dzeyachau-kultury-belarus-2023-god.html>

²⁸ <https://penbelarus.org/2023/12/26/rusifikacyya-belarusi-sfera-kultury.html>



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this freedom in all spheres of cultural life and eliminating independent culture continued. Belarus PEN notes total censorship of the book market²⁹ and library funds, theatrical performances, concert and exhibition events, film screenings, museum excursions and tourist routes, creative unions and public organizations; a ban on the name and promotion of the work of artists disloyal to the regime; raids by representatives of law enforcement agencies in places where cultural events are organized and held³⁰. In addition to formalized mechanisms of censorship, the opinion of pro-government activists and propagandists acquires more and more weight: complaints of the latter about cultural figures and organizations, information products, and even actions of the authorities in the field of culture, often aimed at the struggle against the Belarusian cultural sphere and Russification, are a valid reason for the competent bodies to censor the corresponding events, books, heritage objects, etc.³¹

The general situation with the possibility of realizing freedom of expression and access to information continued to deteriorate³². Arbitrary, unpredictable censorship not only deprives audiences of access to culture, but also deprives authors of the opportunity to earn their livelihood.³³

- **Protection of cultural diversity**

Ongoing repressive measures against Polish and Lithuanian minorities, increased attention to Ukrainian activists and organizations, according to experts, also testify to the lack of conditions necessary for all cultures to be the object of expression and dissemination.

In addition to the above-mentioned multi-level censorship, ideologization and deprofessionalization of the cultural sphere continued during the review period, including through systematic checks of personnel for loyalty to the current government, resulting in dismissals (often with the impossibility of

²⁹ In particular, the closure of independent publishing houses and censorship in the form of verbal or written warnings from the Ministry of Information for those remaining deprives many authors of the opportunity to publish their work:

<https://penbelarus.org/2023/09/08/the-cultural-sector-in-belarus-in-2022-2023-repressions-trends.html>; "...As a result, the Belarusian assortment of Belknight, the main chain of bookstores in the country and a monopolist in this field, is almost completely emasculated - dozens of names are simply absent from the shelves." (ibid.); see also National Human Rights Index (2022), The Right to Participate in Cultural Life, p. 9,

https://belhelcom.org/sites/default/files/17_pravo_na_uchastie_v_kulturnoy_zhizni_22.pdf

³⁰ <https://penbelarus.org/2024/02/27/monitoring-narushenij-kulturnyh-prav-i-prav-cheloveka-v-otnoshenii-deyatelej-kultury-belarus-2023-qod.html>

³¹ <https://penbelarus.org/2024/02/27/monitoring-narushenij-kulturnyh-prav-i-prav-cheloveka-v-otnoshenii-deyatelej-kultury-belarus-2023-qod.html>

³² See National Human Rights Index, The Right to Free Expression (2022, 2023): <https://index.belhelcom.org/>

³³ See the pressure exerted on artists through manipulation of the cost of studio rent, membership in the artists' union, on musicians through the virtual impossibility of obtaining touring licenses (and separate blacklists): <https://reform-by.cdn.ampproject.org/c/s/reform.by/chornyja-spisy-vykana-ca-vyklali-seciva/amp> and performances on Belarusian platforms, participation in radio airs; on theatrical figures - through the mechanism of obtaining touring licenses, persecution of persons who spoke in support of Ukraine, signed for the opposition candidate in 2020, and so on: <https://penbelarus.org/2023/09/08/the-cultural-sector-in-belarus-in-2022-2023-repressions-trends.html>



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subsequent employment³⁴) and emigration of "disloyal" specialists.

It should be noted that it is difficult to assess the aspect of protection, preservation and restoration of cultural heritage in all its forms in the absence of systematic independent monitoring of the issue by specialized specialists. Emphasizing the urgent need for such specialized monitoring, the experts of the Belarus PEN recorded violations in 2023 in respect of at least 38 heritage sites. During the review period, both positive continuation of work on long-term projects related to individual cultural heritage sites³⁵ and acts of vandalism, unjustified dismantling, examples of improper conservation, negligence of local authorities, illegal works, "anti-restoration", destruction of wooden folk architecture monuments and other objects were noted³⁶. Several organizations dealing with historical and cultural heritage issues were liquidated³⁷, and the Belarusian Culture Fund was forced to cease its activities³⁸. Persecution for political reasons has also affected the sphere of cultural heritage protection: according to experts, objects previously purchased at auctions on the terms of restoration for relatively minor violations are being taken away in a discriminatory manner from persons whom the state considers "unreliable"³⁹.

It is also noted that the general repressive situation and the liquidation of specialized CSOs have led to the lack of information infrastructure, including platforms for conferences and other exchanges of views, and the circulation of scientific information. The dismissal of key specialists from the Ministry of Culture, among other things, has led to a reduction in the speed of delivery of relevant services, including project coordination, approval and development of necessary documents⁴⁰.

In March 2023, the state finally abandoned the use of the Latin alphabet in geographical names and appellations under pressure from a massive campaign of pro-government activists who justified the danger of using the Latin alphabet by the negative influence of Western culture and the need to target

³⁴ <https://penbelarus.org/2024/03/03/manitoryng-parushennyau-kulturnyh-pravou-i-pravou-chalaveka-u-dachynenni-da-dzeyachau-kultury-belarus-2023-god.html>

³⁵ Among other things, the restoration of the Žilich Palace and Park Ensemble was completed (<https://www.belta.by/regions/view/zhemchuzhina-klassitsizma-zhilichskij-dvortsovo-parkovyj-ansambl-v-proshlom-godu-posetili-bolee-53-tys-616844-2024/>), excavations continue at Menka (<https://t.me/spadczyna/9533>) and restoration of the Orzeszko family burial chamber. (<https://www.drogichin.by/novosti/chem-udivila-ocherednaya-ekskursiya-po-kaplice-v-zakozele/>).

³⁶ <https://penbelarus.org/2024/03/03/manitoryng-parushennyau-kulturnyh-pravou-i-pravou-chalaveka-u-dachynenni-da-dzeyachau-kultury-belarus-2023-god.html>

³⁷ Including the oldest public association "Belarusian Voluntary Society for the Protection of Monuments of History and Culture", the fund for the restoration of the building of the architectural monument - the former Bernardine Monastery in Niasvizh, the charitable fund "Krevsky Castle", which was engaged in the preservation of this architectural monument.: <https://penbelarus.org/2024/02/27/monitoring-narushenij-kulturnyh-prav-i-prav-cheloveka-v-otnoshenii-deyatelej-kultury-belarus-2023-god.html>

³⁸ <https://nashaniva.com/ru/332763>

³⁹ <https://t.me/spadczyna/9500>

⁴⁰ <https://penbelarus.org/2023/09/08/the-cultural-sector-in-belarus-in-2022-2023-repressions-trends.html>



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the Russian-speaking population and tourists⁴¹. During the year, local authorities reported on the implementation of this measure, replacing signs at public transport stops, in the subway, on city signposts, and so on.⁴²

With regard to the issue of providing adequate financial or other assistance to cultural organizations and actors, experts note the "stateization" of civil society organizations involved in the mechanisms of distribution of orders and insufficient funding of cultural institutions.

⁴¹ <https://news.zerkalo.io/life/29916.html>,
https://news.zerkalo.io/economics/48879.html?c&utm_source=editorial_block&utm_campaign=recirculation_tut&utm_medium=read_more

⁴² https://t.me/gomel_region_gov/20628, <https://news.zerkalo.io/life/50098.html>



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