BelAZ Belarus - Cummins's corporate and social responsibility

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Dear Ladies and Sirs:

We write to draw your attention to the ongoing human rights violations in Belarus. Below, we summarize recent developments in Belarus and note that the US, UK and EU have condemned the brutal handling of the recent protests by Belarusian government and have not recognised the recent presidential elections in Belarus as free and fair.

Cummins is one of the main suppliers of engines to the Belarusian Automobile Plant (BelAZ), a large state-owned enterprise located in Zhodzina, Belarus [BELAZ North America inc. - PRODUCTS](http://belaz.ca/products.html), [OJSC “BELAZ” and Cummins: 25 years of mutually beneficial partnership](http://old.belaz.by/en/press/news/2017/ojsc_belaz_and_cummins_25_year/)

Recently, several members of BelAZ's strike committee were arrested and detained as the current political regime attempts to intimidate workers intending to go on strike (<https://ex-press.by/rubrics/novosti-zhodino/2020/08/27/legche-zhit-po-ponyatiyam-v-zhodino-posle-marsha-belaza-zaderzhali-kak-minimum-troix-chelovek>). Some of the workers were reportedly locked in one of the workshops during the strike on the 13th of August, road police blocked all the entrances to the plant on that day and the mobile network was shut down (<https://belsat.eu/en/news/belaz-plant-on-strike-video-photo/>). Profits earned by BelAZ go directly to the Belarusian government that channels these funds to brutally suppress peaceful demonstrations, limit free speech, and falsify elections.

Therefore, we strongly believe that **commercial relationships between Cummins and BelAZ go against**

1. Cummins’ Code of Business, particularly the second principle of the Code that states that Cummins (a) "supports human rights around the world" and (b) "respects employees' freedom of association, right to bargain collectively and all other workplace rights."

<https://www.cummins.com/sites/default/files/files/ethics_code-of-conduct/Code-of-Business-Conduct-2018-English.pdf>

2. Cummins' Human Rights Policy that claims that Cummins' "commitment to fair treatment and human rights also extends to Cummins' [commercial] partners," and that Cummins is "committed to ensuring that people are treated with dignity and respect." The Policy also states that Cummins will "insist that Cummins' [commercial] partners treat their stakeholders in a way that is consistent with Cummins' values." The Policy "prohibits the use of all forms of forced labor, including threat of force or penalty," which we believe is the case at BelAZ at the moment where workers are denied the fundamental right to form trade unions and not to suffer any disadvantage as a result of the membership in trade unions. Please note that **in the case of BelAZ your business partner is the current Belarusian government** that fully owns and controls BelAZ.

<https://www.cummins.com/sites/default/files/files/reports/cummins-human-rights-policy-1102018A.pdf>

3. Cummins' values, particularly the value of "caring" that stands for "demonstrating awareness and consideration for the wellbeing of others" (see page 4 of your Code of Business, 2018 edition).

4. To the extent applicable, the UK’s Global Human Rights Act passed by the UK parliament on 6 July 2020.

**We urge Cummins to**

1. **terminate** commercial relationship with BelAZ and any other state-owned enterprises in Belarus as soon as practically possible due to the breach of the above-mentioned policies and legislations;

2. demand that all Cummins' sound commercial counterparts in Belarus respect and honour the principles of freedom of association and the right to collective bargaining and strive to eliminate discrimination in the workplace;

3. require that all your commercial partners in Belarus adhere to the principles of your Code of Business and your values.

**Overview of the recent developments in Belarus**

The Presidential election in Belarus on 9 August, along with the entire election campaign, was carried out with numerous breaches of electoral law, the current Belarusian Constitution and international electoral standards.

Mr Alexander Lukashenko announced his victory based on his claim to have received an absurd and unverifiable 80% of the vote.

Numerous notifications of falsifications, the data from alternative vote calculations, surveys on the election day, provided evidence that the official results had nothing to do with reality. As a result, Belarusians across the country protested against the falsification of the election results.

The government took unlawful measures, disproportionate in their cruelty, against peaceful demonstrators – using fire and noise grenades, rubber batons and in some cases even fired guns using live ammunition.

Around 8,000 participants were arrested, detained and penalised without due court process. But a real shock came when the first of the arrested people started being released. Numerous witnesses have confirmed about mass rapes, tortures and immoral abuse in jails. At this point of time 6 deaths have been confirmed as a result of cruel arrests or detention; and hundreds of badly injured people remain in hospitals.

The Human Rights Centre “Viasna”, in partnership with the World Organisation Against Torture (OMCT), organized the collection of information about the victims of torture and ill-treatment, in Belarus, and from 12 to 20 August received testimonies from more than 450 victims corroborated with photographs and videos. More than hundred victims were already interviewed on video.

Some units of the Belarusian army were deployed on the streets of Minsk in recent days, after 21st August 2020, supposedly to “guard monuments against the protesters”.   This increases the likelihood of direct involvement of the Belarusian army in suppressing peaceful protesters given that protests are very likely to continue

Whilst this regime remains in power, it is highly likely that these crimes will never be subject to a lawful investigation and court. In addition to the military violence, the repressions are used against people with alternative views such as ungrounded dismissals, blackmail, treats of detention.

Yours faithfully,

**P**ROFESSIONAL **U**NION OF **B**ELARUSIANS IN **B**RITAIN

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