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# HUMAN RIGHTS IN BELARUS: THE MAIN TRENDS OF PUBLIC POLICY

GENERAL MEASURES | LAW ENFORCEMENT PRACTICE | KEY REACTIONS  
OF INTERNATIONAL STRUCTURES



Usually, the Belarusian Helsinki Committee employs the cornflower-blue color associated with human rights defense in the design of its publications. However, this time, we opted for Viva Magenta.

According to the Pantone Color Institute, Viva Magenta is the Color of the Year. Pantone describes it as audacious, full of wit, and inclusive of all, welcoming anyone and everyone with a verve for life and a rebellious spirit.

The Belarusian Helsinki Committee uses Viva Magenta to draw the world's attention back to Belarus, to remind everyone that we are part of the global process, and the security of our country affects the security of the whole region. Moreover, this color still belongs to the red family, which conveys the message that, despite the weariness surrounding the Belarusian agenda, the human rights situation here continues to deteriorate critically.



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# | INTRODUCTION

The human rights situation in Belarus remains the subject of monitoring and analysis by both Belarusian and international NGOs and international organizations. Since 2012, the mandate of the Special Rapporteur on the situation of human rights in Belarus has been in place.<sup>1</sup> Civil society's alternative reports to treaty bodies overseeing the implementation of the core UN human rights conventions, as well as in the reports of these bodies themselves, also provide reviews.<sup>2</sup> In response to the unjustified use of force, torture against peaceful protesters contesting the 2020 rigged elections, and the subsequent repressions, a special Mandate on the situation in Belarus was established under the auspices of the UN High Commissioner for Human Rights in March 2021.<sup>3</sup>

Since 2019, the **Belarusian Helsinki Committee** has been calculating the Belarus Human Rights Index, within which more than 40 Belarusian experts assess changes in each specific human right. Belarusian NGOs regularly conduct targeted human rights situation monitoring based on their areas of expertise.<sup>4</sup>

The events of 2020, followed by the war in Ukraine and Belarus' complicity in Russia's aggression, have significantly altered the situation in the country, including its policies and practices in the realm of human rights. The situation is continually deteriorating, with daily updates on legislative changes, government initiatives, specific violations, etc. Amidst this influx of information, **maintaining focus** and distinguishing between essential and minor aspects becomes challenging.

To ensure that significant events are not overlooked and to gain a better understanding of the situation in Belarus regarding the rule of law and human rights, we track **the most significant and qualitative changes in the main trends of state policy in the field of human rights**.

For this purpose, since July 2023, the Belarusian Helsinki Committee has been issuing a periodic review. Its aim is to present our expert assessments of **the most significant and qualitative changes in the trends of Belarusian state policy** in the field of human rights and the international community's reactions to it over the reporting period in three areas:

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<sup>1</sup> <https://www.ohchr.org/ru/special-procedures/sr-belarus>

<sup>2</sup> <https://www.ohchr.org/ru/countries/belarus>

<sup>3</sup> <https://www.ohchr.org/ru/hr-bodies/hrc/ohchr-belarus/index>

<sup>4</sup> See, in particular, *Analytical reviews of the situation with human rights prepared by Human Rights Center «Viasna»*: <https://spring96.org/ru/publications>;

*Monitoring the situation of freedom of association and civil society organisations in the Republic of Belarus by Lawtrend*: <https://www.lawtrend.org/english>;

*Electronic bulletins of mass media in Belarus by the Belarusian Association of Journalists*: <https://baj.by/ru/analytics/44> and others.

<sup>5</sup> We consider the current authorities in Belarus as the *de facto* authorities.

- *general measures*: systemic issues – legislation, strategies, and policies that generally shape the conditions and prerequisites for the fulfillment of human rights in the country;
- *law enforcement practices*: trends in violations of civil and political, social, economic and cultural rights;
- *key decisions and reactions of international institutions* related to the human rights situation in Belarus.

Our analytics will contribute to a better understanding of human rights trends in Belarus, aid international partners in navigating the Belarusian agenda, facilitate monitoring of systemic and qualitative changes in the situation, expand the human rights focus of analytics in related areas (political, economic, social, etc.), and serve as a useful resource for developing strategies and positions.

The analysis for 2023 is presented in 2 reviews. The issue for January-June 2023 can be found [here](#).

In 2024, the review will be published three times (after every four months). **You can subscribe to our review [here](#).**

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## | SUMMARY

In the second half of the year, **the formalization (legalization) of unlawful actions of the state intensifies, new «layers» of repressions and violations of human rights in narrower spheres are added**: religion, social guarantees for certain categories of persons, work conditions, employment and holding certain positions in state bodies, rights of national minorities, recreation, and rent. The state continues to depart from the formal equality principle: there are more and more discriminatory provisions at the normative level.

It is worth emphasizing that **the repressive provisions of the legislation** while being initially directed against political opponents and dissenters, **as they expand, potentially begin to affect everyone.**

The conditions for pressure in the domain **of the right to freedom of religion** have changed qualitatively. In the second half of 2023, the authorities enshrined in law the basis for persecution of religious organizations and their members for disloyalty to the state. This would lead to even greater retaliation against religious communities, which has intensified significantly since 2020.

Separately, **the qualitative change of political repressions against Belarusians who went abroad** should be singled out. While previously the authorities created difficulties for people only on the territory of Belarus (instituting criminal proceedings, seizing property, exerting pressure on family members), the second half of 2023 revealed **a distinct intention of the authorities to render life in the countries of residence as complicated as possible for the people who left abroad**, to make their status even more vulnerable, and **to try, within the limits of their powers and jurisdiction, to trouble them with repressions even there** through the abuse of international legal obligations regarding citizenship.

The discriminatory **practice of restricting rights and persecution for holding foreign residence permits and other «documents of a foreign state entitling to benefits and other privileges» (especially for the «Pole's Card» («Karta Polaka»))** stands out as an autonomous, evolving trend by the end of 2023. In addition to increased pressure at the border crossing, the situation is aggravated at the workplaces and educational institutions. Considering both legislative measures and law enforcement practice, **the possession of a foreign residence permit is gradually crystallizing into a separate discrimination ground, and, consequently, temporary legal affiliation with a foreign state – into a distinct protected characteristic.** This is because, as of now, all instances of persecution related to the possession of such documents can no longer be attributed solely to holding certain political beliefs. Especially considering that in some instances, the basis for unequal treatment is the possession of a foreign residence permit by one's relatives, not by the individuals themselves.



**It is indicative that in some cases, the grounds for persecution and pressure (both legislative and in practice) extend to the status/actions of relatives, not the individual themselves:** legislatively, the range of relatives whose status affects the possibility of being admitted as diplomats has been expanded; in practice, there have been cases of hindrance to career advancement due to a child or a minor holding a «Pole's Card» («Karta Polaka»); and pressure exerted on individuals through their employers because their adult children obtained an apostille.

It can be stated that the authorities are increasingly withdrawing from the basic principle of individual responsibility, resorting to a model of collective responsibility.

In the second half of 2023, **the authorities' attempt to solve the issues of human capital outflow and lack of monetary resources implementing measures leading to violations of economic, social and cultural rights** is clearly visible. At the level of general policy/legislative measures, this is vividly reflected in the discussion and likely impending legislative enactment of mandatory work off service for fee-paying students, the introduction of new rules for medical residency training, and significant changes in the functioning of homeowners' associations (including limiting their autonomy). Practically, this trend is vividly manifested in repressive practices related to the study of the Polish language, including the closure of educational institutions (schools/language courses) providing such services and pressure on their staff.

In the second half of the year, **legislative strengthening of the security apparatus can also be observed as part of the formalization of repressive policy.** The powers of the State Security Committee (KGB) are legislatively expanded in several areas (control over diplomats, military service and mobilization, use of firearms). The approach to defining the functions and objectives of foreign intelligence is changing: the public interest as a goal of its activities is abolished, and a new objective emerges to eliminate threats to national security beyond Belarus' borders.

It is also important to note the **intense strengthening of militarization.** A new concept of «**reinforcement apparatus**»<sup>6</sup> is introduced.

**The state campaign to reframe genocide, which we identified as a separate trend in the first half of 2023, has systematically reached the level of secondary education.** In November 2023, three new textbooks on «The Genocide of the Belarusian People during the Great Patriotic War» for grades 1-4, 5-9, and 10-11 were introduced. Narratives inciting enmity towards Belarusians who disagree with the authorities, along with the breadth of coverage (all schools in the country), may have long-term negative social consequences.

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<sup>6</sup> *Citizens recruited to assist military enlistment offices and the KGB in conducting notifications, conscriptions, and dispatching (supplying) mobilization resources to the Armed Forces.*

**The struggle of the authorities against Belarusian culture, which the authorities label as a struggle against «Belarusian nationalism,» takes on a new dimension.** In the second half of 2023, for the first time in the history of independent Belarus, due to its content expressing a negative attitude towards imperial Russian policies towards Belarusians, the work of Belarusian literary classic «Ears of Rye under Thy Sickle» («Kalasy pad siarpom tvaim») by Uladzimir Karatkevich was removed from the school curriculum, and several works by Vintsent Dunin-Martsinkyevich were declared «extremist.»

Thus, the policy of discrediting the system of values different from the pro-governmental one continues in two directions: «anti-Westernism» and the denigration of the Belarusian national component, with a prioritization of Russian colonial narratives. **«Anti-Westernism» is shifting towards the forms of the «Iron Curtain» era in the USSR** (with legislative requirements to report the rental of housing to foreigners, increased attention to people planning to study or work abroad, and pressure in this regard).

It's also crucial to highlight the intensification of repressions in conjunction with the start of the 2024 electoral campaign in Belarus.

Additionally, the practice of holding a number of public political prisoners – opponents of the regime – in «*incommunicado*» detention conditions has become long-term and stable.

With respect to the international institutions' reactions to the human rights situation in Belarus, a significant qualitative change and substantial step was the decision of the International Federation of Red Cross and Red Crescent Societies to suspend the membership of the Belarus Red Cross in the federation.

# I. GENERAL MEASURES: LEGISLATION, STRATEGIES, POLICIES, THAT SHAPE THE CONDITIONS AND PREREQUISITES FOR THE FULFILLMENT OF HUMAN RIGHTS IN THE COUNTRY

## KEY POINTS:

- The formalization of repressions is escalating to a more systematic and widespread level, potentially affecting all individuals due to the expansion of targeted areas, not just those dissenting from the authorities. At the same time, the pressure on those who have left has changed qualitatively: the state is trying to extend repressions beyond its territorial borders;
- Legislative strengthening of the security sector (expansion of the KGB's powers, redefining the purpose and functions of foreign intelligence);
- The authorities are intensifying efforts to address the issues of human capital outflow and financial shortages through measures that lead to violations of economic, social, and cultural rights.

## EXPANSION OF THE LEGALIZATION OF SYSTEMIC REPRESSIONS (NOT ONLY AGAINST POLITICAL OPPONENTS AND ANY DISSENTERS, BUT AGAINST EVERYONE IN GENERAL)

At an increasingly intense pace, formal grounds for systematic and widespread political repressions are being established at the legislative level. In the first half of 2023, this pertained to more general spheres related to citizenship, entry/exit from the country, and criminal liability. In contrast, the second half of the year saw the legalization extending to narrower spheres affecting daily life, adding further layers of repression. This includes areas such as religion, recreation, rent, benefits

for certain categories of individuals, employment, and holding specific positions in state bodies, and national minorities. **Originally targeted against political opponents and dissenters, as these repressive provisions become more «dispersed» through legislation, they increasingly have the potential to affect every individual.**

**1.** In the latter half of the year, amendments were introduced into two crucial legal acts, laying the groundwork for systematic and widespread discriminatory practices aimed at improper restrictions on fundamental rights and constitutional guarantees **pertaining to the functioning of civil society institutions.**

In November 2023, the draft Law of the Republic of Belarus «On Amendments to Laws Concerning the Activities of Religious Organizations»<sup>7</sup> was adopted in its second reading. **This law introduces amendments to the Law «On Freedom of Conscience and Religious Organizations.»** The new provisions significantly restrict the freedom of conscience and religion and effectively establish a prohibition for religious organizations to be disloyal to the current authorities. This includes a ban on activities «against the sovereignty of the Republic of Belarus, its constitutional order, and civil concord,» «political activities,» and engagement in the activities of political parties. The re-registration of religious organizations is mandatory after the adoption of the amendments.<sup>8</sup> Essentially, these amendments formalize the repressive practices against religious communities<sup>9</sup> and their members, which have significantly intensified since 2020.<sup>10</sup>

In October, **amendments to the Law «On Mass Media» came into effect.**<sup>11</sup> The major innovation is the introduction of a mechanism for taking symmetrical measures against foreign media operating in the territory of the Republic of Belarus in case of confirmed unfriendly actions by foreign states towards national media.<sup>12</sup> This conflicts with the right to access information and freedom of speech and is also a manifestation of «anti-Western» policy.

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<sup>7</sup> <https://house.gov.by/ru/zakony-ru/view/ob-izmenenii-zakonov-po-voprosam-deyatelnosti-religioznykh-organizatsij-1530/>

<sup>8</sup> For a detailed analysis of the amendments to the Law that violate freedom of belief and religion, see here: <https://belarus2020.churchby.info/forum-18-belarus-repressivnyj-zakonoproekt-o-religii-ozhidaet-vtorogo-chteniya-chast-2/>.

<sup>9</sup> Repressions affect various communities, yet quantitatively, Catholic priests are slightly more subjected to repression. According to the 2023 report of the international Catholic charity «Kirche in Not,» Belarus (along with Nicaragua) ranks at the forefront of persecuting Catholic priests as part of political repressions:

<https://acninternational.org/dozens-of-priests-arrested-in-2023-as-authoritarian-regimes-crack-down-on-church/>

<sup>10</sup> Persecuted Belarusian clergy, *The Christian Vision*: <https://belarus2020.churchby.info/persecuted-priests-belarus-ru/>

<sup>11</sup> <https://pravo.by/document/?guid=12551&p0=H12300274> (the amendments),

<https://pravo.by/document/?guid=3871&p0=h10800427> (text of the law with amendments)

<sup>12</sup> <https://pravo.by/novosti/obshchestvenno-politicheskie-i-v-oblasti-prava/2023/october/75586/>

2. In July, amendments to **the Law «On Languages in the Republic of Belarus»<sup>13</sup>** were enacted, potentially hindering the realization of **the rights of national minorities**. The possibility of establishing separate schools or preschool institutions for education and instruction in minority languages has been abolished. The only remaining option is to create separate classes or groups for studying the language and literature of a national minority. Moreover, whereas previously their establishment required only the consent of local authorities, now it must be coordinated with the Ministry of Education.

3. A number of provisions related **to working conditions, employment, and social guarantees for certain categories of individuals** have been altered. These changes create additional conditions for discriminatory practices and violate a range of rights and freedoms.

**Firstly**, special attention has been paid to the criteria for employment in various sectors of public service and, in general, employment in state bodies. Some provisions affect not only the individual but also their relatives, making a person's employment contingent upon their possible statuses.

a. In August, **a new edition of the Regulations on Service in the Prosecutor's Offices of the Republic of Belarus** was adopted.<sup>14</sup> Currently, an individual cannot be employed by the prosecutor's offices if they hold documents of foreign states granting rights to benefits and privileges due to political, religious views, or national affiliation, as well as if they utilize such privileges and advantages.

b. In September, a Government Decree approved the **Regulations on the organization of background checks for candidates for certain non-civil service positions**.<sup>16</sup> Individuals applying for these positions will be screened for any criminal records (even those expunged or sealed) and for actions posing a threat to the national security of the Republic of Belarus (which is currently used as one of the general repressive provisions of the criminal legislation). Additionally, checks will be made to determine whether the individual has approached citizenship and migration offices regarding travel abroad or foreign states for citizenship or residency based on political, religious views, or national affiliation.

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<sup>13</sup> <https://pravo.by/document/?guid=12551&p0=H12300300>

<sup>14</sup> <https://pravo.by/document/?guid=12551&p0=P32300271>

<sup>15</sup> *This wording effectively encompasses all documents currently used by Belarusians forced to relocate to other countries due to persecution following the events of 2020, to legalize their status abroad.*

<sup>16</sup> *The document establishes special requirements for screening candidates for positions of technical staff in state bodies, staff of organizations subordinated to the Government of the Republic of Belarus; staff of the apparatus of the Commissioner for Religious and Ethnic Affairs; heads and deputy heads, heads of human resources services of organizations with state ownership, heads of regional unions of consumer societies, regional consumer societies:* <https://pravo.by/document/?guid=12551&p0=C22300612>;

It is unclear how the fact of applying to foreign state authorities can be verified, but this provision is likely to add grounds for a further array of persecutions for having a foreign residence permit or similar documents.

c. In October, **amendments were made to the Regulations on Diplomatic Service**, tightening the rules for admission to diplomatic service and significantly expanding the circle of people connected to the individual, whose status could hinder their employment. Now, an individual cannot be accepted into the diplomatic service if their spouse has not only foreign citizenship (as previously) but also residency in another state or any other document granting rights to benefits and privileges due to political, religious views, or national affiliation. Furthermore, if close relatives<sup>17</sup> including stepsons and stepdaughters of diplomats possess such documents, the KGB is authorized to decide on the expediency of their service.<sup>18</sup>

**Secondly**, in July, the Ministry of Sports and Tourism approved **professional and ethical requirements for tour guides and interpreter guides**.<sup>19</sup> It contains, among others, a number of ideologically charged provisions that contradict, in particular, freedom of expression and artistic freedom, implying censorship in the activities of tour guides and coercing the tour guides themselves to censor tourists.<sup>20</sup>

**Thirdly**, in December, the Government approved **new Regulations on pensions for special merits to the Republic of Belarus**.<sup>21</sup> New grounds for denying such a pension and for discontinuing one already granted have emerged: disrespectful attitude towards state and public institutions, the constitutional order of the Republic of Belarus, and being held administratively responsible for offenses «against the order of governance, public order.» This measure also clearly implies the imposition of self-censorship regarding any expression of disloyalty to the authorities by senior officials and distinguished individuals from various fields, even those who have left the system.

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<sup>17</sup> According to the Regulations, this includes parents, children (including adopted), and biological siblings. Previously, siblings were not considered.

<sup>18</sup> In the previous edition of the Regulations, the mere fact of having foreign citizenship (and not residency) by spouses, cohabiting children, and parents could only be a potential impediment to service entry. The issue was resolved by the Minister of Foreign Affairs after consulting the opinion of the authorized state body for the protection of state secrets. Additionally, the new edition abolished the clause regarding «cohabiting individuals.»

<sup>19</sup> <https://pravo.by/document/?guid=12551&p0=W22340219>

<sup>20</sup> For example, tour guides and interpreter guides are required to «manifest respect for the state symbols of the Republic of Belarus, the history of the development of Belarusian statehood,» «avoid subjective incorrect assessments and statements regarding the Republic of Belarus and other states» during tours, and «eliminate any forms of provocation in clothing and appearance.» In addition, tour guides must «take measures to prevent tourists, excursionists, or other individuals from making incorrect, provocative, and other negative statements or actions.»

<sup>21</sup> <https://pravo.by/document/?guid=12551&p0=C22300865>

**4. Amendments to the Law «On the Legal Status of Foreign Citizens and Stateless Persons in the Republic of Belarus» and the Code of the Administrative Offences of the Republic of Belarus** have been adopted in the first reading. Individuals (both legal entities and natural persons) will be required to inform the Ministry of Internal Affairs about renting out housing to foreigners,<sup>22</sup> including citizens of those countries for which the legislation does not require declaring their place of residence within a certain period while in Belarus.<sup>23</sup> It is planned to introduce administrative responsibility for failure to report. Notably, while initially considered as a separate bill, the House of Representatives ultimately incorporated these amendments into the draft Law «On Amendments to Laws Concerning National Security».<sup>24</sup>

## HANDLING BELARUSIANS WHO LEFT ABROAD AFTER 2020: EXPANSION OF POLITICAL REPRESSIONS

In the second half of the year, there was a qualitatively new phase in the expansion of political repressions against those individuals who have left the country. Previously, the authorities caused problems for people within Belarus (initiating criminal proceedings, seizing property, pressuring relatives), formally trying to lure people back through the «Commission for Return» (the work of which is also repressive). The second half of 2023 clearly demonstrated **the authorities' intention to complicate the lives of those who have left abroad as much as possible in their countries of residence, to make their status even more vulnerable, and to attempt, within their powers and jurisdiction, to trouble them with repressions even there.**

In September 2023, **Decree No. 278 «On the Procedure for Issuing Documents and Performing Actions»** was adopted. Firstly, a number of administrative procedures (including transactions with property) can now only be carried out in Belarus in person or by a power of attorney issued in Belarus. Secondly, obtaining and replacing a regular passport, ID, and biometric passport will only be possible within Belarus, even for Belarusian citizens holding PP series passports (i.e., those who have registered permanent residence in another country).

The decree violates a number of human rights and may create obstacles to the exercise of other rights and constitutional guarantees: the right to equal treatment (non-discrimination); the right to freedom of movement; the right to respect

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<sup>22</sup> <https://t.me/housegovby/14004>

<sup>23</sup> *According to the legislation, citizens of Kazakhstan, Lithuania, Latvia, the United Arab Emirates, Ukraine, and Estonia are exempt from registration for 30 days, and citizens of Russia are exempt for 90 days.*

<sup>24</sup> <https://house.gov.by/ru/zakony-ru/view/ob-izmenenii-zakonov-po-voprosam-prebyvanija-inostrantsev-na-territorii-respubliki-belarus-1566/>

for private and family life; the right to marry and to found a family; the right of every child to be registered and to acquire nationality; and the right to property.<sup>25</sup> It is clear that the legislative measures adopted are specifically aimed at restricting the rights of forced political emigrants. This is evidenced, among other things, by subsequent statements by state agents (including proposals to «make concessions for patriotically minded compatriots abroad»<sup>26</sup>). At the same time, the real consequences of this decree are very broad, as it affects all Belarusian citizens living abroad, regardless of their political views and/or participation in protests related to the events of 2020.

It should be noted that this Decree involves an increasing number of state institutions and officials (in this case, staff of diplomatic and consular institutions) in engaging in repressions, executing unlawful (albeit formalized) directives.

## STRENGTHENING OF THE SECURITY SECTOR AS PART OF THE INSTITUTIONALIZATION OF REPRESSIVE POLICIES

The formalization of the strengthening of the security sector stands out as a distinct trend. **Firstly, the expansion of the KGB's powers in several areas has been formalized:**

a. The legislative framework for the disproportionate use of force under the pretext of «fighting terrorism» has been expanded. In December, amendments to the anti-terrorism laws were passed in two readings at once.<sup>27</sup> One of the amendments **broadens the scope for the use of firearms by KGB officers.** Specifically, a KGB officer may use firearms in situations involving significant gatherings of citizens, as well as towards storage facilities for flammable and highly toxic substances, and the transportation means for these substances.<sup>28</sup> This may lead to an increase in cases of arbitrary deprivation of life. Overall, this additional formal «lifting of restraints» on KGB officers also contributes to an increased environment of anxiety among the population.

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<sup>25</sup> The Belarusian Helsinki Committee conducted a comprehensive analysis of its provisions for compliance with international human rights standards and the provisions of the Constitution of Belarus: <https://belhelcom.org/en/document/analysis-violations-republic-belarus-international-human-rights-obligations-and>

<sup>26</sup> <https://www.youtube.com/watch?v=tUzhvyTiwoo>

<sup>27</sup> <https://pravo.by/document/?guid=3941&p0=2023098001>

<sup>28</sup> In accordance with the previous edition of the law, the use of firearms in these situations was prohibited. Additionally, the remaining basis for the exclusion of using firearms (in relation to women, persons with disabilities, and minors) has been rephrased. Now, the exception to this provision is not only the commission of armed offense by these groups of citizens that may threaten the lives and health of others but also their armed resistance.



**b. The KGB's authority over the control of diplomatic personnel has been expanded.** As noted earlier, in October, the amendments were introduced to the Regulations on Diplomatic Service. Today, the KGB decides on the expediency of service for individuals whose relatives have foreign citizenship or residency. Previously, this was within the competence of the Minister of Foreign Affairs after consulting the opinion of the authorized state body for the protection of state secrets.

**c. The authority of the KGB in the field of military service and mobilization has been expanded.** According to amendments to the Laws «On Military Duty and Military Service» and «On Mobilization Preparation and Mobilization» adopted in the first reading,<sup>29</sup> KGB officers are, among other things, empowered to draw up reports on administrative offenses for failure to appear without valid reasons at conscription events. Also, at the request of the KGB Chairman, agreed with the Ministry of Defense, it becomes possible to remove conscripts from military registration at local military enlistment offices and direct them for registration at the regional KGB office. This creates an additional source for forming the KGB's personnel base, i.e. leads to the growth of the repressive bodies' staff. Moreover, the KGB will now also be involved in military training.<sup>30</sup>

**Secondly, the authority has been expanded and the approach to defining the functions and objectives of foreign intelligence has been changed. This allows for arbitrary and expansive interpretation of the legality of its actions and eliminates public interest as the goal of its activities.** In November, amendments were introduced to the Decree «On Matters of Foreign Intelligence».<sup>31</sup> The purpose of foreign intelligence has been changed from «protecting the vital interests of the individual, society, and the state» to «protecting national interests». A provision on its main objective (which was not previously present) has been added: to eliminate the sudden emergence of **threats** to national security **from outside** the Republic of Belarus. At the same time, there is also a new mission: **to implement preemptive measures** to prevent damage to the national interests and security of the Republic of Belarus by special services and organizations of foreign states, terrorist and extremist organizations, organized criminal groups, and individuals.

In conjunction with amendments to the National Security Concept introduced in the first half of 2023,<sup>32</sup> including the possibility of classifying a specific individual as a source of national security threats, all these alterations in the regulation of foreign

<sup>28</sup> *In accordance with the previous edition of the law, the use of firearms in these situations was prohibited. Additionally, the remaining basis for the exclusion of using firearms (in relation to women, persons with disabilities, and minors) has been rephrased. Now, the exception to this provision is not only the commission of armed offense by these groups of citizens that may threaten the lives and health of others but also their armed resistance*

<sup>29</sup> <https://pravo.by/document/?guid=3941&p0=2023080001>

<sup>30</sup> <https://pravo.by/document/?guid=12551&p0=C22300525>

<sup>31</sup> <https://pravo.by/document/?guid=12551&p0=P32300344>

<sup>32</sup> *Human Rights in Belarus: Key Trends in Public Policy. January - June 2023, pp. 13-14:* <https://trends.belhelcom.org/storage/reviews/August2023/pzspkGp9ZZ3AHW9XN53D.pdf>

intelligence activities create even broader grounds for the unlawful restriction of human rights and persecutions, including against Belarusians abroad.

**Thirdly**, the Prosecutor General has proposed **a return to the institution of the Chief Military Prosecutor's Office for better control over the Armed Forces**. According to Prosecutor General A. Shved, the idea is to create a scaled-down version so that military prosecutors would deal «exclusively with supervision of law and order in the armed forces at different times.»<sup>33</sup> Clearly, such a measure is aimed at strengthening control, maintaining even greater dependence of the military on the state, and an environment of pressure in the army.

## INTENSIFIED MILITARIZATION

The state continues to militarize (including in the context of mobilization).

**1. In November, significant amendments were adopted in the first reading to three laws: «On Defense,» «On Military Duty and Military Service,» and «On Mobilization Preparation and Mobilization.»**<sup>34</sup>

**Firstly, the options for conscription are expanded** (including lowering the age for military registration), and the procedure for notifying about the requirement to report to the military enlistment office is changed, including during mobilization (via SMS, practically eliminating the legal possibility of not receiving a draft notice). **Secondly, control over conscripts is tightened** (including criminal and administrative liability for evasion of the draft and failure to appear at the military enlistment office). **Thirdly**, by the decision of A. Lukashenko, **the pool of potential contract soldiers is expanded**: people of any age can be recruited for military service under contract; those who are under criminal prosecution; those who have served a sentence of imprisonment in correctional institutions; those with a criminal record; those who have illegally evaded military service by conscription. **Fourthly, the option for citizens to participate in defense-related work in peacetime** (from the age of 16) **is established**.

A number of new concepts related to mobilization are introduced, with **the most important being the new concept of an «reinforcement apparatus»** – citizens recruited to assist military enlistment offices and the KGB in conducting notifications, conscriptions, and dispatching (supplying) mobilization resources to the Armed Forces.

<sup>33</sup> <https://www.belta.by/society/view/shved-rasskazal-podrobnosti-o-predlozhenii-sozdat-glavnuju-voennuju-prokuraturu-577295-2023/> ; For reference: the institution of the Chief Military Prosecutor's Office was abolished in Belarus in 2014.

<sup>34</sup> <https://pravo.by/document/?guid=3941&p0=2023080001>

2. The period of conscription of citizens for verification duties has been doubled, as well as the frequency of such conscriptions.<sup>35</sup>

All these measures lay the groundwork for intensifying an environment of pressure, utilizing people for the needs of the authorities, and increasing people's dependence on the state. They also indicate the authorities' growing fear of war and the fact that the state continues to adopt Russian practices in this regard.

## SYSTEMATIC CAMPAIGN TO MANIPULATE POLICY OF MEMORY BY REFRAMING<sup>36</sup> GENOCIDE

The state campaign for the reframing of genocide acquires new dimensions and broader coverage, which we identified as a distinct trend in the first half of the year.<sup>37</sup> The specific goal of this campaign, in our view, is to defame an alternative value system adhered to by dissenters, and the dissenters themselves.

In the second half of the year, the campaign systematically reached the level of secondary education. In November 2023, **three new textbooks titled «The Genocide of the Belarusian People during the Great Patriotic War» were introduced for grades 1-4, 5-9, and 10-11.**<sup>38</sup>

All three textbooks contain materials that lay the groundwork for inciting hatred and enmity towards national Belarusian symbols (the white-red-white flag and the «Pahonia» coat of arms) and their bearers. For example, it is claimed that «bearers of this symbolism actively participated in the executions of prisoners of war and civilians, and looting in favor of Nazi Germany.»<sup>39</sup>

A direct parallel is also drawn with the peaceful protests of 2020. People who participated in the protests are compared to collaborators. It is reported that they «shared Nazi methods» and used the «Nazi slogan *Žyvie Bielaruś*» (Long Live Belarus).<sup>40</sup>

This can be qualified as creating a basis for **inciting hatred and enmity towards those who use Belarusian national symbols and towards peaceful protestors of 2020.**

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<sup>35</sup> <https://pravo.by/document/?guid=12551&p0=C22300525>

<sup>36</sup> Hereinafter «reframing» refers to changing the way something is expressed or considered.

<sup>37</sup> *Human Rights in Belarus: Key Trends in Public Policy. January – June 2023*, pp. 12-13: <https://trends.belhelcom.org/storage/reviews/August2023/pzspkGp9ZZ3AHW9XN53D.pdf>

<sup>38</sup> <https://www.belta.by/society/view/v-minske-prezentovali-uchebnye-posobija-rasskazyvajuschie-o-genotside-belorusskogo-naroda-v-gody-vov-599507-2023/>

<sup>39</sup> *Textbook for grades 1-4*, page 45: <https://www.adu.by/images/2023/10/Genozid-bel-naroda-1-4-klass.pdf>

<sup>40</sup> *Textbook for grades 10-11*, page 41: <https://www.adu.by/images/2023/10/Genozid-bel-naroda-10-11-klass.pdf>

All this constitutes a violation of the right to education and the cultural rights of children (as the manipulation of content intentionally creates false perceptions of Belarusian national symbols, while stigmatizing it).

As part of the state's education policy, the publication of such textbooks and teaching children of all grades in all schools of the country through them can be qualified as a mass and gross violation of children's rights.

It should be noted that Russian funding has appeared in the campaign, likely leading to narratives about the «genocide of the populations of Belarus and Russia» and the «genocide of the Soviet people».<sup>41</sup>

## ADDRESSING THE LACK OF FINANCIAL RESOURCES AND THE OUTFLOW OF HUMAN CAPITAL THROUGH VIOLATIONS OF ECONOMIC AND SOCIAL RIGHTS

In the second half of 2023, a number of legislative measures were adopted or announced in several areas including education, employment, and property rights, that violate social and economic rights and constitutional guarantees. These include the right to work, the right to education, and the right to dispose of one's property. These measures also **increase individuals' dependence on the state**. The authorities do not conceal that these measures (essentially of a coercive nature) are aimed at stopping the outflow of people from the country, which significantly increased after the start of repressions in 2020, as well as replenishing the budget.

**Firstly**, in the context of higher education, **the measures taken by the state concerning training of medical professionals** deserve special attention. After the start of repressions in 2020, there was a significant outflow of medical personnel from the country.<sup>42</sup> In October, amendments were introduced to the Law «On Healthcare».<sup>43</sup> A number of changes concerning medical residency<sup>44</sup> are envisaged. The option of paid education was abolished and remains only for foreign nationals (meaning that

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<sup>41</sup> In November, a project of the Union State of Russia and Belarus regarding the establishment of an information center at the «Trostenets» memorial complex on the site of a former concentration camp in Minsk was published. Part of the exhibition includes figures of punishers with white-red-white armbands. All figures in the exhibition are monochrome, but the white-red-white armbands on the punishers' arms are colored and immediately highlighted: <https://www.zdv.by/sobytiya/novosti/proekt-soyuznogo-gosudarstva-memorialnyy-kompleks-trostenec>

<sup>42</sup> <https://news.zerkalo.io/economics/22057.html> ;

<https://www.dekoder.org/ru/article/belaya-emigraciya-pochemu-iz-belarusi-uezzhayut-vrachi>

<sup>43</sup> <https://pravo.by/document/?guid=12551&p0=H12300308>

<sup>44</sup> Medical residency is one of the highest forms of advanced professional training for specialist doctors, who have already completed a 2-year mandatory work off assignment after graduating from university.

now all Belarusians will be obligated to work off their tuition fees upon graduation), both the duration of education and the obligatory work off period have been increased, and financial consequences are foreseen for discontinuing education before obtaining a diploma or refusing to fulfill the work off obligation (with a penalty multiplier of 2.5 for refusing the work placement). Thus, the new rules deprive medical professionals of the right to choose their workplace for 7 - 10 years.

**Secondly**, at the end of December, the Law «On Amendments to Laws Concerning Housing Fund Management and Operation» was adopted.<sup>45</sup> It introduces significant changes to the operation of Homeowners' Associations (HOAs). The changes, among other things, relate to the collection and management of funds raised for major repairs (HOAs will not be able to manage the money collected by HOA members for major repairs), and new criteria for appointing and dismissing the chairpersons of the associations have been introduced. Overall, the Law is aimed at **significantly reducing the autonomy of HOAs and transferring the management of citizens' property to state municipal services**. The authorities do not conceal that, besides economic considerations, this is a consequence of the proactive stance that some HOAs took during the 2020 protests.<sup>46</sup>

**Thirdly**, in September, the Minister of Education A. Ivanets, in the context of discussing the outflow of university graduates from the country, proposed the idea that **mandatory service (work off obligation) after university graduation should not only apply to students of state-funded education but also to those who paid the tuition fees themselves**.<sup>47</sup> It should be emphasized that mandatory service, in general, can be considered a practice of forced labor.<sup>48</sup> Forced placement of people who studied at the expense of the state budget contradicts the feasibility and the rationale of obtaining free higher education on a competitive basis (which is what the authorities declare). People who for some reason do not complete their mandatory service are required to repay the state for the cost of their «tuition free» education. In the case of forced placement of students who paid for their studies, this becomes an even more absurd practice, as upon the adoption of these amendments, the individual will be forced to pay the state twice: first through their tuition fees and a second time to avoid the application of forced labor practices against them. According to the minister, relevant amendments to the Education Code are being developed.

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<sup>45</sup> <https://pravo.by/document/?guid=12551&p0=H12300330>

<sup>46</sup> N. Kachanova, commenting on the Law at the draft stage, noted: «In 2020, some homeowners' associations behaved inappropriately. Do you realize now what could have happened? There could have been a war. We would not be talking about homeowners' associations now. We would not be talking about anything else. Because that's where everything was headed. Therefore, there must be order and discipline everywhere»: <https://news.zerkalo.io/economics/54962.html>

<sup>47</sup> <https://citydog.io/post/raspred-studenty-2023/>

<sup>48</sup> For more details, see the Expert Opinion by the Belarusian Helsinki Committee on the questions of forced labor in the Republic of Belarus: <https://belhelcom.org/en/document/expert-opinion-questions-forced-labour-republic-belarus>

**Fourthly**, in the context of discussing the personnel deficit in the agricultural sector, **measures are being considered that effectively prohibit the dismissal of specialists or managers of agricultural enterprises without the permission of the chairman of the district executive committee.**<sup>49</sup>

## CHANGES IN SOCIAL PROTECTION MEASURES AND PREVENTION OF OFFENSES AGAINST CHILDREN, CREATING GROUNDS FOR REPRESSIVE ACTIONS

In the second half of 2023, there is a trend towards tightening measures against certain vulnerable groups of children. Alongside positive changes in these areas, a number of amendments introduced and proposed in the legislation increase the vulnerability of children, may hinder the consideration of the best interests of the child, and create grounds for the repressive application of social protection measures and prevention of offenses.

**Firstly**, amendments have been made to the 2019 Council of Ministers' decree «On recognizing children as being in a socially dangerous situation».<sup>50</sup> **The list of indicators of a socially dangerous situation (SDS) has been changed.** Today, the basis for placing a family in SDS can be a situation where both parents or a single parent have been unemployed for more than three months and/or improperly spend various social benefits, resulting in the basic life needs of the child (children) not being met. In addition, previously, a criterion for placing a family in SDS was administrative or criminal liability of a child over 14 years of age and established facts of lack of parental control over the child. Now the requirements concerning the age limits for the child and the fact of bringing the child to responsibility have been abolished. That is, the basis can be delinquent behavior of a child of any age as well as the initiation of preventive work concerning them.

**Secondly**, a Law «On Amendments to Laws on the Prevention of Neglect and Offenses by Minors» was adopted in the first reading.<sup>51</sup> The main negative shift: **the conditions for placing children in special educational institutions and their stay there are changing.** In particular, now a child can be placed in such an institution without a court order, but at the request of parents or guardians, if the consumption of narcotic drugs, psychotropic substances, alcoholic, low-alcohol beverages, or beer by such

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<sup>49</sup> <https://news.zerkalo.io/economics/44577.html>

<sup>50</sup> <https://pravo.by/document/?guid=12551&p0=C22300856>

<sup>51</sup> <https://pravo.by/document/?guid=3941&p0=2023091001>

children is «established in accordance with the legislation.» These changes obviously contradict the principles of a state based on the rule of law, where decisions on restricting rights should be made by courts.

## DEPARTURE FROM THE PRINCIPLE OF FORMAL EQUALITY

As we noted at the end of the first half of 2023,<sup>52</sup> the state initiated a general shift towards the formalization of discrimination. Inequality is being formalized either on the basis of political views or in the context of a consumerist attitude towards an individual and their «usefulness» to the state.

This trend continued in the second half of the year: abolition of the possibility to open schools and pre-school institutions with native language instruction for national minorities; establishing the possession of a foreign residence permit as a barrier to employment in certain positions within state bodies, including those not classified as civil service; depriving people residing abroad temporarily or permanently of the opportunity to replace passports at diplomatic and consular establishments, as well as to perform certain notarial acts there; the adoption of new rules for medical residency training (as mentioned above).

It is important to note that, taking into account both legislative measures and law enforcement practice (see Section II), the possession of a foreign residence permit is gradually becoming a distinct basis for discrimination, and consequently, status in a foreign state is becoming a distinct protected characteristic. Given the entire array of changes in legislation, all cases of persecution related to the possession of such documents can no longer be considered cases of persecution due to political beliefs. This is especially true considering that in some situations, the basis (both legislative and in practice) for unequal treatment is the possession of a foreign residence permit not by the individual themselves but by their relatives.

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<sup>52</sup> *Human Rights in Belarus: Key Trends in Public Policy. January – June 2023*, pp.22-23: <https://trends.belhelcom.org/storage/reviews/August2023/pzspkGp9ZZ3AHW9XN53D.pdf>

## II. LAW ENFORCEMENT PRACTICE: VIOLATIONS OF CIVIL, POLITICAL, SOCIAL, ECONOMIC, AND CULTURAL RIGHTS

### KEY POINTS:

- Intensification of the practice of persecution in relation to the possession of a foreign residence permit;
- Escalation of the combating «Belarusian nationalism»;
- Strengthening of repressive practices in relation to the start of the 2024 electoral campaign in Belarus.

### TIGHTENING BORDER CROSSING CONTROL

Border crossing checks and corresponding privacy intrusions and discriminatory practices have intensified.

**Firstly, the pressure on individuals holding foreign documents has increased.** If in the first half of the year border control officers started demanding the presentation of a residence permit of a foreign country or a similar document, making a copy of it, then in the second half of the year, it became known about cases of border guards demanding individuals to renounce the Pole's Card« («Karta Polaka») (including writing a statement to the consul right at the border point) under the threat of administrative responsibility.<sup>53</sup>

**Secondly,** for some Belarusians crossing the border in the second half of the year, **the IMEI numbers of their phones were checked.**<sup>54</sup>

**Thirdly,** in August, it became known **that some individuals were called in by the KGB after crossing the Belarus-Poland border.** They were questioned about their life in Poland and about crossing the Polish border from the Polish side.<sup>55</sup>

<sup>53</sup> <https://t.me/viasna96/20224>

<sup>54</sup> <https://nashaniva.com/323139>

<sup>55</sup> <https://nashaniva.com/324055>



## ESCALATION OF PERSECUTION RELATED TO POSSESSION OF FOREIGN RESIDENCE PERMITS AND SIMILAR DOCUMENTS

The discriminatory practice of persecution due to the possession of foreign documents (especially the «Pole's Card» («Karta Polaka»))<sup>56</sup> has emerged as an independent, evolving trend by the end of 2023. In addition to the increased pressure at border crossings described above, the situation is exacerbated at the places of work and study.

In the first half of the year, employees of state institutions were forced to renounce foreign documents and were even dismissed if they refused to do so.<sup>57</sup> In the second half of the year, cases became known where pressure was applied to individuals who had not yet obtained, but were planning to apply for the «Pole's Card» («Karta Polaka»). It also came to light that in some cases, possession of such a document not by the individual themselves but by their child became an obstacle to career advancement.<sup>58</sup> Some people working in state institutions abandoned the idea of obtaining such a document due to fear of persecution.

In the second half of the year, there were also reports of repeated demands to renounce the «Pole's Card» («Karta Polaka») at the state-owned enterprise «Grodno-Azot». The document was requested to be handed over personally to a KGB officer.<sup>59</sup>

Such practices (and the overall policy) by the state create grounds for repressive «amateurism» in this area. For example, in September 2023, it was reported that a class teacher at one of the schools in Grodno asked parents to disclose if any family members had the «Pole's Card» («Karta Polaka») or foreign residence permits. A journalist, posing as a schoolchild's mother, spoke with local officials, who stated that there were no such orders from the authorities.<sup>60</sup>

At the end of June, the Resolution of the Ministry of Internal Affairs and the Ministry of Foreign Affairs «On Providing Information about Foreign State Documents» also came into force,<sup>61</sup> which outlines the procedure for notifying about the possession of a foreign residence permit (in light of the amendments to the Law «On Citizenship» that came into effect in July 2023). In November, the practice of applying this norm revealed. An individual was not allowed to leave the country because they had

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<sup>56</sup> It should be noted that, according to the 2019 census, there were 287,693 Poles residing in the country: <https://www.belta.by/infographica/view/natsionalnyj-sostav-naselenija-belarusi-22499>

<sup>57</sup> <https://nashaniva.com/315859?lang=ru>; <https://news.zerkalo.io/life/43262.html?c>; [https://news.zerkalo.io/life/35752.html?utm\\_source=editorial\\_block&utm\\_campaign=recirculation\\_tut&utm\\_medium=read\\_more](https://news.zerkalo.io/life/35752.html?utm_source=editorial_block&utm_campaign=recirculation_tut&utm_medium=read_more)

<sup>58</sup> <https://nashaniva.com/ru/321656>

<sup>59</sup> <https://nashaniva.com/ru/322575>

<sup>60</sup> <https://news.zerkalo.io/life/49580.html?c>

<sup>61</sup> <https://pravo.by/document/?guid=12551&p0=W22340276>

not provided a certificate from the migration office stating that they had notified the authorities about the possession of a foreign residence permit.<sup>62</sup> Thus, such unjustified restrictions related to the possession of a foreign residence permit also lead to violations of freedom of movement.

## DISCRIMINATORY PRACTICES AND PRESSURE ON PEOPLE WHO HAVE LEFT OR ARE PLANNING TO LEAVE ABROAD

In July 2023, it was revealed that authorities started monitoring individuals who obtain an apostille for documents (used usually to validate the documents abroad). In the reported case, not only the employees themselves but also their relatives (of adult children) who had obtained an apostille were listed. These individuals were then summoned by their management for a discussion and asked to «speak with their children.»<sup>63</sup>

Moreover, at the end of September, the consequences of the Decree «On the Procedure for Issuing Documents and Performing Actions,» adopted in early September, began to emerge. Citing this decree, employees of educational institutions (known cases involve two major universities in the country – Belarusian State University and Belarusian State Economic University) refused to issue documents or duplicates of educational documents requested by power of attorney.<sup>64</sup>

## COMBATING «BELARUSIAN NATIONALISM»

The discreditation of Belarusian national culture and history against the backdrop of promoting Russian narratives, and the fight against «Belarushchyna» as part of the repressive policy, is intensifying and taking on new forms. In the second half of the year, the authorities began «purges» of literary works by Belarusian classics.

**Firstly**, one of the key novels of national literature, «Ears of Rye under Thy Sickle» («Kalasy pad siarpom tvaim») by Uladzimir Karatkevich, which narrates the formation of the Belarusian nation against the backdrop of the 1863 uprising by Kastus Kalinouski against Imperial Russia, was removed from the school curriculum.<sup>65</sup> The initiator was propagandist and current director of the National Library V. Higin, who

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<sup>62</sup> <https://euroradio.fm/belarus-a-yaki-ne-pavedamiu-ab-nayaunasci-vnzh-inshay-krainy-ne-vypuscili-za-myazhu>

<sup>63</sup> <https://nashaniva.com/321851>

<sup>64</sup> [https://t.me/dw\\_belarus/9840](https://t.me/dw_belarus/9840)

<sup>65</sup> [https://news.zerkalo.io/cellar/48209.html?utm\\_source=news.zerkalo.io&utm\\_medium=news-bottom-block&utm\\_campaign=relevant\\_news](https://news.zerkalo.io/cellar/48209.html?utm_source=news.zerkalo.io&utm_medium=news-bottom-block&utm_campaign=relevant_news)

argued that «the school curriculum is about forming a certain historical memory.»<sup>66</sup> In addition to violating the cultural rights of children, this can also be assessed as a violation of the right to education, as the school curriculum is changed without reasonable justifications, disregarding the interests of children and the true purposes of education, but based solely on ideological considerations.

**Secondly**, the preface to the book «Selected Works. Vintsent Dunin-Martsinkyevich» and two poems attributed to this classic of Belarusian literature were declared «extremist materials.» The poems also reflect the theme of the struggle against Imperial Russia.<sup>67</sup> **This is the first instance of classic Belarusian literature being declared «extremist materials.»**

## REPRESSIVE ACTIONS TIED TO THE STUDY OF THE POLISH LANGUAGE IN THE FRAMEWORK OF COMBATING THE EMIGRATION OF PROSPECTIVE STUDENTS

In the second half of 2023, authorities focused their attention on educational organizations offering Polish language courses, often marketed as preparation for admission to Polish universities and for obtaining the «Pole's Card» («Karta Polaka»).

In September, a case was reported where a foreign language learning center had its license extended on the condition that it close its Polish language courses, justified by the claim that «people are leaving the country.»<sup>68</sup>

In October, the Ministry of Education conducted inspections of Polish language courses in Grodno and Minsk. The inspections checked for violations of the Law «On Advertising,» according to which advertisers promoting studies abroad must obtain approval from the Ministry of Internal Affairs and the Ministry of Education.<sup>69</sup> In December, law enforcement detained and searched employees and heads of several Polish language schools. Some were forced to record «repentance videos,» suggesting one of the absurd allegations was «teaching the Polish language.»

Personnel of «certain special services» suggested voluntarily closing the courses (which the owners are planning to do, as the employees cannot work under such pressure). They also demanded lists of all clients of the schools from the owners.<sup>70</sup>

<sup>66</sup> <https://news.zerkalo.io/life/53544.html?c>

<sup>67</sup> <https://www.dw.com/ru/ekstremist-duninmarcinkevic-za-cto-vlasti-mstat-klassiku/a-67533589>

<sup>68</sup> <https://udf.name/news/society/261164-kursam-polskogo-jazyka-prishel-kapec.html>

<sup>69</sup> <https://mostmedia.io/2023/10/19/proverki-kurov-polskogo-v-belarusi/>

<sup>70</sup> <https://reform.by/siloviki-prishli-v-shkolu-polskogo-jazyka-polskipro;>  
<https://reform.by/po-trebovaniju-silovikov-zakryvajutsja-kursy-polskogo-jazyka-panprofesor;>  
<https://reform.by/direktor-kurov-polskogo-jazyka-rasskazal-ob-oblave-trebujut-spiski-vseh-klientov>

This practice is a manifestation of the intensifying trend of anti-Western sentiment and part of the state's overall policy to address the problem of human capital outflow from the country through proprietary attitudes towards individuals. It represents a violation of social and economic rights: the right to education, including the freedom to choose its forms and directions.

Against the backdrop of closing state and private schools with Polish language instruction and the legislative cancellation of the possibility to open schools with instruction in minority languages, this practice also constitutes a violation of the rights of national minorities, as it significantly restricts their options to study their native language in the country of residence. Not to mention the arbitrary detentions and the lack of procedural guarantees for employees of such schools/courses.

## STRENGTHENING OF REPRESSIVE PRACTICES IN RELATION TO 2024 ELECTIONS\*<sup>71</sup>

The 2024 elections\* in Belarus<sup>72</sup> commenced amidst ongoing repressions, the practical unavailability of freedom of expression, peaceful assembly, and association, in an environment of total fear and a cleansed political field. Following the post-election crisis of 2020 and the constitutional amendments of 2022, significant alterations in the legal regulation of elections were made, creating even greater scope for the violation of electoral rights and fair election standards. Furthermore, the start of the electoral campaign triggered an intensification of repressions against individuals who were active during previous electoral campaigns (including those who served as observers).

The Belarusian Helsinki Committee and the Human Rights Center «Viasna» initiated the «Human Rights Defenders for Free Elections» campaign – an expert mission to monitor the 2024 Elections\*.<sup>74</sup> The second half of 2023 saw several stages of the electoral campaign, including the formation of district and territorial election commissions. Experts from the «Human Rights Defenders for Free Elections» campaign report the absence of any independent initiative, explained by the general environment of fear of repression, and the authorities' total control over the process of forming election commissions and their composition.<sup>75</sup>

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<sup>71</sup> The term «elections\*» in relation to the 2024 electoral campaign is used with an asterisk to emphasize the contingent nature of this term, as any free and fair electoral campaign presupposes, first and foremost, conditions where rights and freedoms are fully realized, including freedom of speech, the freedom of peaceful assembly and association, the right to participate in public affairs, and freedom from discrimination, which are currently virtually unavailable in Belarus.

<sup>72</sup> Elections\* for the House of Representatives and local councils.

<sup>73</sup> Situation on the eve of the elections\* 2024. First report of the campaign «Human Rights Defenders for Free Elections»: [https://belhelcom.org/sites/default/files/belarus\\_situation\\_on\\_the\\_eve\\_of\\_the\\_elections2024\\_first\\_report\\_en.pdf](https://belhelcom.org/sites/default/files/belarus_situation_on_the_eve_of_the_elections2024_first_report_en.pdf)

<sup>74</sup> Statement on the launch of an expert election\* observation mission in Belarus on February 25, 2024: <https://elections2024.spring96.org/en/news/113394>

<sup>75</sup> For more details, see the Analytical Report on the Formation of Territorial and District Election Commissions by the «Human Rights Defenders for Free Elections» campaign: [https://spring96.org/files/misc/farmavanne\\_kamisij2024\\_eng3.pdf](https://spring96.org/files/misc/farmavanne_kamisij2024_eng3.pdf)

## SURGE IN REPRESSIONS AGAINST INDIVIDUALS ASSOCIATED WITH DEMOCRATIC MOVEMENTS

In November 2023, mass searches were conducted at the homes of many members of the Coordinating Council and employees of Sviatlana Tsikhanouskaya's Office (all of whom are abroad). The Investigative Committee announced that over a hundred individuals are implicated as suspects in the case concerning the Coordinating Council.<sup>76</sup> It is known that many have had their property seized. Individuals are charged under 6 articles of the Criminal Code, including: treason, conspiracy, or other actions committed with the intent to seize state power, among others.<sup>77</sup>

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<sup>76</sup> <https://www.belta.by/society/view/sk-v-kachestve-podozrevaemyh-po-delu-koordinatsionnogo-soveta-privlecheny-svyshe-sta-lits-602201-2023/>

<sup>77</sup> <https://www.svoboda.org/a/a-v-otvet-tishina-v-belarusi-idut-obyski-u-davno-uehavshih-aktivistov/32703450.html>

### III. KEY CHANGES IN THE RESPONSES OF INTERNATIONAL BODIES REGARDING THE HUMAN RIGHTS SITUATION IN BELARUS

#### THE INTERNATIONAL FEDERATION OF RED CROSS AND RED CRESCENT SOCIETIES SUSPENDED THE MEMBERSHIP OF THE BELARUS RED CROSS SOCIETY

On December 1, it was announced that the membership of the Belarus Red Cross (BRC) in the International Federation of Red Cross and Red Crescent Societies was suspended<sup>78</sup> due to the BRC's failure to comply with the Federation's recommendation on the resignation of its chairman, D. Shevtsov, in light of violations of the fundamental principles of the Red Cross and Red Crescent Movement, improper use of the emblem, and breaches of the integrity protection policy of national societies.<sup>79</sup> This includes numerous statements by D. Shevtsov supporting the illegal transfers of Ukrainian children from occupied territories and his visits to Donetsk and Luhansk. This implies that the BRC loses all its rights as a member of the Federation (including the right to receive funding). The status of the BRC can be restored as soon as the decision to dismiss D. Shevtsov is implemented.



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<sup>78</sup> <https://www.ifrc.org/article/statement-suspension-belarus-red-cross-member-ifrc>

<sup>79</sup> <https://www.ifrc.org/article/ifrc-releases-findings-belarus-red-cross-secretary-general-call-dismissal>