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# **BELARUS 2022 HUMAN RIGHTS REPORT**

## **EXECUTIVE SUMMARY**

Belarus is an authoritarian state. The constitution provides for a directly elected president who is head of state and a bicameral parliament, the National Assembly, as well the All-Belarus People's Assembly, a previously ad hoc body that was enshrined in the constitution through the February 2022 referendum. A prime minister appointed by the president is the nominal head of government, but power is concentrated in the presidency, both in fact and in law. Citizens were unable to choose their government through free and fair elections. Since 1994, Alyaksandr Lukashenka has consolidated his rule over all institutions and undermined the rule of law through authoritarian means, including manipulated elections and arbitrary decrees. All elections and referenda after 1994, including the 2020 presidential election and February 27 constitutional referendum, were not considered free and fair.

The Ministry of Internal Affairs exercises authority over police, but other bodies outside of its control, for example, the Committee for State Security, the Financial Investigations Department of the State Control Committee, the Investigation Committee, and presidential security services, also exercise police functions. The president has the authority to subordinate all security bodies to the president's personal command. Lukashenka maintained effective control over security forces. There were reports that members of the security forces aggressively, intentionally, and systematically perpetuated numerous abuses to stifle political dissent and repress human rights.

Significant human rights issues included credible reports of: unlawful or arbitrary killings by security forces; torture or cruel, inhuman, or degrading treatment or punishment by security forces; harsh and life-threatening prison conditions; arbitrary arrest and detention; political prisoners or detainees; transnational repression against individuals in another country; serious problems with the independence of the judiciary; arbitrary or unlawful interference with privacy; punishment of family members for alleged offenses by a relative; serious abuses in a conflict related to Belarus' complicity in Russia's war against Ukraine; serious

restrictions on freedom of expression and media, including violence or threats of violence against journalists, unjustified arrests or prosecutions of journalists, censorship, and the enforcement of criminal libel laws to limit expression; serious restrictions on internet freedom; substantial interference with the freedom of peaceful assembly and freedom of association, including overly restrictive laws on the organization, funding, or operation of nongovernmental and civil society organizations; inability of citizens to change their government peacefully through free and fair elections; serious and unreasonable restrictions on political participation; serious government corruption; serious government restrictions on or harassment of domestic and international human rights organizations; lack of investigation of and accountability for gender-based violence, including domestic and intimate partner violence, sexual violence, and other forms of violence; trafficking in persons; crimes involving violence or threats of violence targeting lesbian, gay, bisexual, transgender, queer, or intersex persons; and outlawing of independent trade unions and significant restrictions on workers' freedom of association.

Authorities at all levels generally operated with impunity as directed by Lukashenka and routinely failed to take steps to prosecute or punish officials in the government or security forces who committed human rights abuses.

## **Section 1. Respect for the Integrity of the Person**

### **a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings**

There were reports that the government or its agents committed arbitrary or unlawful killings, and also reports of deaths from torture or severe abuse. The Investigative Committee of Belarus, an internal inquiry body that reports directly to the president, is responsible for investigating whether security force killings were justifiable and whether to pursue prosecutions.

In the evening of December 31, 2021, Dzmitry Uskhopau was brought to the hospital by authorities in a life-threatening state after his 11 p.m. arrest at a bus stop earlier that night. By 1:20 a.m. on January 1, Uskhopau was certified dead. Family members reported that when they saw his body, his clothes were visibly

torn, he was drenched in water, had a wound on his forehead, and his wrists were blue. The family believed the injuries were inflicted by authorities during his detention and were the cause of his death. The Investigative Committee refuted the claims, arguing they did not find evidence of trauma on his body and that he died of intoxication and alcohol overdose, while admitting police used force against Uskhopau after he resisted them during detention. Human rights groups reported that at least four of Uskhopau's friends had been detained for drug possession.

In the wake of the 2020 presidential election, riot police, internal troops, and plainclothes security officers violently suppressed mass protests. At least two individuals in 2021 and four individuals in 2020 died as a result of police violence or abuse, shooting by members of the security forces, or authorities' failure to provide medical assistance. No criminal cases or charges were brought against security officials in connection with these killings. When investigations were conducted, authorities absolved security officials from blame and alleged the victims were "intoxicated" or were responsible for their own deaths, even when evidence discredited government narratives or allegations. Individuals who released information that contradicted the government were arrested and faced fines and jail sentences. In November 2020, a representative of the Investigative Committee of Belarus told the UN Human Rights Council that the committee was not investigating any allegations of police abuse and declared, "currently there have been no identified cases of unlawful acts by the police." Authorities did not investigate any reports of human rights abuses by government officials during the year. As of year's end, authorities had not investigated or launched criminal proceedings against those responsible for the 2021 death of Vitold Ashurak, who died in detention under authorities' supervision. As of year's end, the investigation into the 2020 death of Alyaksandr Taraykouski, who was shot with a nonlethal bullet by a security officer during a peaceful protest, remained suspended since November 2021. Civil society groups claimed, based on videos of the incident, that the security officer was Mikita Karovin, but authorities had not released the officer's name.

## **b. Disappearance**

There were no reports of disappearances by or on behalf of government authorities.

### **c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment, and Other Related Abuses**

The law prohibits such practices. Nevertheless, the Committee for State Security (KGB), riot police, and other security forces, often without identification and wearing street clothes and masks, regularly used excessive force indiscriminately against detainees, peaceful protesters, members of the independent media, and ordinary citizens. Security forces also reportedly mistreated individuals during investigations. As reported by human rights nongovernmental organizations (NGOs), police regularly beat and tortured persons during detentions and arrests. Human rights groups also reported abuses in police custody, including severe beatings; use of electric shocks; psychological humiliation, such as forcing detainees to undress to humiliate them; videotaped forced confessions made public on social media; and other efforts to exhaust detainees mentally and physically.

For example, police violently beat and detained demonstrators for protesting Russia's war against Ukraine on February 27. A Minsk resident told the human rights organization Vyasna that during the protest three or four law enforcement officers approached him, threw him on the ground, and beat him with police batons. The man reported being hit at least 14 times, including at least five blows to the head. He was then thrown in a van and taken to the police station, where he complained of serious pain but was denied medical treatment. He was then placed in an overcrowded cell with 20 other persons, despite the cell being made for six persons. He was once again denied medical treatment at the pretrial detention facility. He was tried three days later and sentenced to 10 days' imprisonment. After his trial, authorities placed the man in cell No. 19, which was called "Crematorium 19" by inmates due to the unbearable heat and stuffiness. One inmate explained, "We were dripping sweat. We even stripped down to our underwear. We did everything we could, but there was still no air to breathe."

On November 14, multiple detainees held at Minsk-based facilities during September through November told independent media the Interior Ministry's Main Department for Combatting Organized Crime and Corruption (GUBOPiK) officers beat them on the legs and buttocks to such a degree they could not sit or lay down for days. They also reported sleep deprivation, having to sleep on cold cement

floors in cells with no hot running water.

On March 30, authorities posted forced confession videos of at least 38 detained railway workers who were presumably part of the Telegram channel “Community of Railway Workers,” deemed as “extremist” by authorities for calls to commit “terrorist acts” and sabotage of railways. In many of the confession videos, individuals condemned joining the Telegram community and calling for acts of sabotage.

One resident of Minsk, detained by GUBOPiK officers in April, reported being subjected to electric shocks during her detention. The woman explained she was told to sit backwards on her chair, which she assumed was so she couldn’t see who was tasing her. Meanwhile, authorities lifted her jeans, exposing her legs and tased her. She explained she suffered short electric shocks that made her legs cramp and become numb, preventing her from being able to walk immediately after. She sustained marks on her legs from the electric shocks for 10 days. The woman was charged with hooliganism and later detained a second time allegedly for using foul language in the police department. During her second detention, she was placed in a two-person cell with 17 other persons where the lights remained on, and prisoners were prevented from sleeping.

On February 27, the date of a nationwide constitutional referendum, police arrested at least 900 individuals for protesting the referendum and the Russian invasion of Ukraine. Authorities arrested approximately another 200 the day following the referendum. Those detained were sentenced for up to 30 days and kept in overcrowded and freezing cells, where they were reportedly beaten, deprived of sleep, food, medical aid, and personal hygiene products.

On April 6, Deputy Interior Minister Henadz Kazakevich reported police apprehended four “saboteurs” for destroying railway infrastructure to prevent movement of Russian military equipment bound for Ukraine. He reported the individuals were later shot in the legs during their arrest after they attempted to escape. He did not justify their violent arrests, but human rights observers assessed the authorities’ response was incommensurate and intended to intimidate opposition activists against further destruction of railway equipment.

Impunity for abuses remained a serious problem in the security forces. As of year's end, there was no indication authorities had investigated or taken any action against officers involved in widespread human rights abuses following the 2020 presidential election. Among the myriad unpunished abuses by authorities documented after the 2020 election were severe beatings; psychological humiliation; the use of stress positions; at least one reported case of rape and sexual abuse; use of electric shock devices; excessive use of tear gas; and up to three days of deprivation of food, drinking water, hygiene products, the use of toilets, sleep, and medical assistance. Conversely, the government prosecuted former law enforcement and security officers who tried to launch investigations against their colleagues or individuals who advised officials who were dismissed for political reasons or resigned in protest of police violence. For example, on May 12, a Minsk district court sentenced former assistant prosecutor Yauhen Babak to four years in prison on charges of allegedly participating in actions that violated public order and incited social hatred, charges deemed by human rights groups as politically motivated. Babak was one of the few prosecutors who attempted to investigate police for assaulting bikers during the peaceful election-related protests in 2020. He subsequently resigned in protest after his leadership suppressed his cases.

In a similar case, on December 2, the Minsk city court convicted former investigator Mikita Starazhenka, who resigned in 2020 after his refusal to open a criminal case against a severely beaten 16-year-old protester in Minsk on charges of leaking personal data of law enforcement officers and inciting social hatred. Starazhenka was sentenced to seven years in prison. On December 26, the Minsk city court convicted former investigator and political prisoner Yauhen Yushkevich, arrested in April 2021, on charges of inciting social hatred, participating in the 2020 protests, and organizing mass riots, and sentenced him to 11 years in prison. According to human rights observers, these charges were politically motivated in response to a project Yushkevich established in 2020 to provide training to public servants, law enforcement, and security officers who were dismissed for political reasons or decided to quit their service in protest of the fraudulent election and police brutality.

## **Prison and Detention Center Conditions**

Prison and detention center conditions remained poor and, in many cases, posed threats to life and health.

**Abusive Physical Conditions:** According to former prison inmates and human rights lawyers, gross overcrowding; lack of access to food, potable water, medicine, warm clothing, personal hygiene products, and bedding; inadequate access to basic or emergency medical care; and confinement in cells for long periods without an opportunity for movement, exercise, or use of showers or sanitary facilities remained serious problems. Such conditions were especially common in facilities that hold political prisoners. Inmates reported that prison officials deliberately denied them access to food, potable water, medicine, warm clothing, personal hygiene products, bedding, and necessary medical care, sometimes for several days, as a form of retribution for opposing the regime and exercising fundamental freedoms. Overall sanitation was poor.

Authorities made minimal public health efforts to prevent the spread of COVID-19 in prisons, while simultaneously using COVID-19 as a pretext to restrict access to visitors and limit distribution of food, hygiene products, and clothing. For example, former detainees reported that individuals with COVID-19 symptoms were rarely isolated and did not receive proper medical assistance. Observers believed tuberculosis, pneumonia, HIV, AIDS, COVID-19, and other communicable diseases were widespread in prisons because of generally poor medical care and public health measures. Multiple individuals held on politically motivated charges reported administration continuously placing homeless persons with fleas, lice, bedbugs, and various communicable diseases, including COVID-19, into cells with them.

According to a relative, political prisoner Halina Dzerbysh, convicted on October 17 and sentenced to 20 years in prison for terrorism-related charges and conspiring to take over state powers, was denied an abdominal ultrasound scan. The relative said there was also no dentist at the Hrodna prison, where Dzerbysh was held in pretrial detention, and detainees were told “to take painkillers” and were denied medical and dental treatment.

During the year, many individuals reported politically motivated and indiscriminate detention for periods up to 90 days in prison conditions designed to punish those who had sought to peacefully express their political views. This included gross overcrowding and routinely forcing dozens into cells designed for five individuals, when nearby cells were empty. Former detainees told independent media that while nonpolitical inmates were allowed short walks and showers, political inmates were intentionally deprived of mattresses, food parcels from families, drinking water, ventilation, or sanitation, and rats and other vermin were common in their cells. The spouse of political prisoner Paulina Sharenda-Panasiuk told the Lithuanian press on April 30 that the prison administration in Homyel, where she was serving her term, placed Sharenda-Panasiuk in solitary confinement for more than 80 days at the end of 2021, at least 60 days of which she was banned from walks in the fresh air and from taking showers. The administration reportedly penalized her for refusing to work and violating other internal prison regulations.

Political prisoners appeared to face worse prison conditions than those of the general prison population, including more reports of torture and severe abuses.

Although there were isolated allegations that police placed underage suspects in pretrial detention facility cells with adult suspects and convicts, authorities generally held juvenile prisoners separately from adults at juvenile penal colonies, arrest houses, and pretrial holding facilities. Conditions for female and juvenile prisoners were generally better than for adult male prisoners.

Corruption in prisons was a serious problem, and observers noted that parole decisions often depended on bribes to prison personnel. Parole decisions could also hinge on a prisoner's political views.

**Administration:** Former prisoners and their defense lawyers reported that prison officials often censored or did not forward their complaints to higher authorities and that prison administrators either ignored or selectively considered requests for investigation of alleged abuses, which were subsequently dismissed as unjustified. Prisoners also reported that prison administrators frequently refused to provide them with copies of responses to their complaints, which further complicated their defense. Complaints could result in retaliation against prisoners, including

humiliation, death threats, or other forms of punishment and harassment. Former prisoners claimed some prison administrators' repeated harassment resulted in suicides, which authorities neither investigated nor made public.

Prisoners and detainees had limited access to visitors, and meetings with families or defense lawyers were sometimes denied for political detainees or as a common punishment for alleged "disciplinary violations."

Authorities generally prevented prisoners from holding non-Orthodox religious services and performing ceremonies that did not comply with prison regulations, despite legal provisions for such practice. Belarusian Orthodox churches, however, were located at several prison facilities, and Orthodox clergy were generally allowed access to conduct services.

**Independent Monitoring:** Authorities prohibited any observation of detention conditions by independent observers, hindering the verification of conditions former political prisoners reported as purposefully decrepit and designed to punish individuals for their political dissent.

#### **d. Arbitrary Arrest or Detention**

The law prohibits arbitrary detention, but government officials routinely ignored it. Authorities, including plainclothes security officers, continued to routinely arrest and detain thousands of individuals throughout the year for exercising fundamental freedoms, opposing Lukashenka's dictatorship, or for actively supporting the prodemocracy movement.

#### **Arrest Procedures and Treatment of Detainees**

By law, police must request permission from a prosecutor to detain a person for more than three hours. There were reports that persons were detained without judicial authorization well beyond this limit. Detainees have the right to petition the court system regarding the legality of their detention, but authorities consistently suppressed, ignored, and dismissed such appeals. Appeals to challenge detentions were generally denied.

An individual may be detained for up to 72 hours without charge, at which point

law enforcement officials must make a formal decision on whether the individual should be released (with or without charges) or held longer as a suspect. Authorities often held detainees arrested in cases widely seen as politically motivated for longer than 72 hours. If within the first 72 hours of detention an individual is determined to be a suspect, authorities may hold him or her for up to 20 days without filing formal charges, and for up to 18 months after filing charges. In some cases, however, authorities detained persons beyond 18 months. For example, in 2020, officers from the Financial Investigations Department of the State Control Committee detained Eduard Babaryka, son of 2020 presidential hopeful Viktor Babaryka, on tax evasion charges widely viewed by human rights groups as politically motivated. As of year's end, he remained in pretrial detention and reportedly received additional charges of inciting social hatred and organizing mass riots.

The law stipulates detainees are allowed prompt access to a lawyer of their choice or one provided by the state free of charge, although authorities often delayed extending this right to high-profile political prisoners, who faced authorities without the presence of defense lawyers at the initial stages of an investigation or during interrogations. Prosecutors, investigators, and security-service agencies have legal authority to extend detention without consulting a judge. Detainees have the right to petition the court system regarding the legality of their detention, but authorities consistently suppressed, ignored, and dismissed such appeals. The country has no functioning bail system.

There were reports of detainees held incommunicado. During the year some individuals arrested on politically motivated allegations of “terrorism” were held incommunicado for several days before authorities contacted their families.

**Arbitrary Arrest:** Authorities detained political scientists, political leaders, presidential campaign participants, human rights defenders, journalists, opposition leaders and members, civil society activists, demonstrators, and ordinary citizens for reasons widely considered to be politically motivated. Authorities permitted and abetted security officers in taking an “arrest first, ask questions later” approach with no accountability or repercussions for security officers who made wrongful arrests or committed other abuses during or after arrests. Security officers could arrest at their own discretion, refused to identify themselves, and did not need to

announce the reason for arrests. Once detaining an individual, security officers forcefully obtained their cell phones, including messages, social media, contacts, and videos and photographs, all of which was often used as a pretext to charge detainees with extremist or opposition activities. Communications with other individuals deemed critical of authorities, antiwar, or extremist, often led police to subsequently detain those interlocutors as well. Authorities also checked whether detainees made any donations to so-called extremist organizations and in support of political prisoners, their families, prodemocracy efforts, or expat communities.

On October 18, police detained Darya Losik, spouse of political prisoner and Radio Liberty consultant Ihar Losik, at their home in Baranavichy. According to state media, she was accused of giving interviews to the Polish-based Belsat media outlet, declared extremist by the regime, but credible human rights organizations believed the regime targeted Darya Losik to retaliate further against her husband (see section 1.e., Political Prisoners and Detainees, and Property Seizure and Restitution subsections).

On March 3, authorities detained six parishioners leaving an antiwar prayer gathering at the Belarusian Orthodox Holy Spirit Cathedral in downtown Minsk. Security forces filmed inside and outside of the church and stopped some parishioners to check their identity documents at the entrance, while police vans waited outside. The detainees were subsequently released after questioning and warned against holding additional unauthorized mass events.

**Pretrial Detention:** Lengthy pretrial detention remained a problem, particularly for those facing politically motivated charges who were regularly held for indeterminate periods with no sense of when their cases would be heard. Observers believed authorities utilized the pretrial detention process to keep political detainees in a state of psychological and emotional uncertainty. Observers believed there were several reasons for the delays, including political interference and motivations, additional charges being brought against individuals held in pretrial detention and investigations opened, new investigators taking over cases, cases that were complicated because they involved many suspects, and cases that required extensive forensic or other expert examinations and analysis. Generally, even in politically motivated cases, the period of pretrial detention was accurately calculated and subtracted from the final length of the conviction and the

length of pretrial detention did not exceed the statutory maximum sentence for charged crimes.

### **e. Denial of Fair Public Trial**

The constitution provides for an independent judiciary, but authorities did not respect judicial independence and impartiality. Observers believed corruption, inefficiency, and political interference with judicial decisions were widespread. Courts convicted individuals on false and politically motivated charges brought by prosecutors, and observers believed that senior government leaders and local authorities dictated or predetermined the outcomes of trials.

According to human rights groups, prosecutors and investigators wielded excessive and imbalanced authority because they may extend detention periods without the permission of judges. Defense lawyers were often unable to examine investigation files, attend investigations and interrogations, or examine evidence against defendants until a prosecutor formally brought the case to court. Lawyers found it difficult to challenge some evidence because the Prosecutor's Office controlled all technical expertise. According to many defense attorneys, this power imbalance persisted, especially in politically motivated criminal and administrative cases. All communications between defense lawyers and their clients were monitored in pretrial detention.

The Law on the Bar and Legal Profession prohibits defense lawyers from working either independently or for private law firms and requires them instead to work in Ministry of Justice-approved "legal bureaus." The state-controlled National Bar Association oversaw operations of legal bureaus in the country. The law prohibits defense lawyers from owning or sharing ownership in a legal or consultative firm or a real estate agency, and from representing the interests of any other commercial entity in which they have an ownership stake.

According to a 2021 report by Lawyers for Lawyers, the International Bar Association Human Rights Institute, and the American Bar Association, authorities engaged in tactics that interfered with the independence of lawyers. The report noted "decisions about the continued practice of lawyers within the legal profession are not made by an independent entity," but rather by the Ministry of

Justice. There were reports of retaliatory prosecution and disbarment of defense lawyers representing political campaigns, opposition leaders, and activists. For example, on June 9, the Justice Ministry disbarred at least five Minsk-based and regional defense lawyers after they purportedly failed to pass “qualification tests.” Political prisoner Maksim Znak, a defense attorney for political prisoner and 2020 presidential hopeful Viktar Babaryka, was also disbarred in January. Znak continued to serve a 10-year jail sentence on what human rights organizations deem politically motivated charges of “conspiring to take over state powers in an unconstitutional way,” calling for “action to inflict damage to the national security,” and leading an “extremist group.” During the year, the Justice Ministry disbarred dozens of other defense lawyers and arrested at least seven on various politically motivated charges, including for their purported dissemination of information about prosecutors, judges, and other public officials engaged in various politically motivated court cases.

## **Trial Procedures**

The law provides for the right to a fair, timely, and public trial, but authorities systematically disregarded this right. Further, trials for those facing political motivated charges were regularly held behind closed doors. In many politically motivated cases, authorities extended investigations, leaving detainees jailed without knowledge of when their trials would commence.

The law provides for the presumption of innocence. Nevertheless, the lack of judicial independence, the state media’s practice of reporting on high-profile cases as if guilt were already certain, and the widespread limits on defense rights regularly denied defendants the presumption of innocence.

By law criminal defendants may be held up to 10 or 20 days, depending on the statute charged, without being notified of charges.

The law provides defendants the right to attend proceedings, but some defendants were tried in absentia. On July 21, Lukashenka signed amendments to the criminal procedures code, allowing investigations and criminal cases to be conducted in absentia for suspects and defendants located outside of the country. This includes prosecution and trial in absentia for crimes against the peace, security of humanity,

state, threats to national security, terrorism, genocide, state treason, establishment of an extremist organization, participation in mass riots, and calls for sanctions. Criminal cases with such accusations had already been filed against nearly all leaders and key activists of the democratic opposition in exile along with many prominent businesspersons who fled prosecution. There was broad consensus among human rights organizations these amendments were designed specifically to target the democratic opposition forced into exile.

On December 12, the Minsk city court started hearing the first case in absentia against five persons – Yanina Sazanovich, Dzmitry Navosha, Daniil Bahdanovich, Valerya Zaniamonskaya, and Volha Vysotskaya – who reportedly administered the Telegram channel “Black Book of Belarus” from exile. The five were charged with inciting social hatred and illegally handling personally identifiable information of law enforcement officers, prosecutors, judges, and other public officials. On December 16, the Prosecutor General’s Office submitted in absentia criminal cases against Svyatlana Tsikhanouskaya, Pavel Latushka, and other prominent political opposition figures. On December 26, authorities issued a ruling in the first trial in absentia against two founders of the Belarusian Sports Solidarity Foundation (BSSF), sentencing Alyaksandr Apeikin and Olympian Alyaksandra Herasimenya to 12 years in prison each (see also “Transnational Repression” subsection.)

Additionally, the Investigative Committee chair, or the KGB chair with the consent of the prosecutor general, may authorize trial in absentia for individuals on other charges. Trials in absentia may also be held if a foreign state refuses to extradite the suspect or if a foreign government does not respond to extradition requests six months after the prosecutor general submitted them. On May 12, Investigative Committee chair Dzmitry Hora said prosecution in absentia would apply to those “who have inflicted significant damage to our state...and leaders of foundations that financed extremist and terrorist activities.” Hora claimed the government had to adopt these changes to respond to national security threats and due to “consistent denial of extradition requests by foreign states.” Hora pointed specifically to Lithuania’s refusal to extradite prominent opposition leader and former presidential candidate Svyatlana Tsikhanouskaya as justification.

Authorities worked to minimize trial observation by independent observers,

including accredited foreign diplomats, hindering the verification of trial procedures and adherence to the rule of law. Authorities restricted independent journalists and members of the public from observing trials, in particular those of a political nature. Authorities limited or barred independent observation by claiming well into the year that restrictions were in place due to COVID-19, in addition to asserting the courtroom was full, or filling the courtroom to capacity with state journalists and individuals associated with the state.

The law provides for access to legal counsel for the defendant and requires courts to appoint a lawyer for those who cannot afford one. The law provides for the right to choose legal representation freely; however, a presidential decree prohibits NGO members who are lawyers from representing individuals other than members of their own organizations in court. The government's attempts to disbar attorneys who represented political opponents of the government further limited defendants' choice of counsel. The government also required defense attorneys to sign nondisclosure statements that prohibited them from releasing any information regarding the case to the public, media, or defendants' family members. During the year, at least 50 defense attorneys were penalized or disbarred after they provided or attempted to provide a sound defense for political prisoners.

In cases of administrative charges, including for participation in unauthorized peaceful protests, resisting law enforcement officers, and hooliganism, judges often did not inform arrested individuals of their right to defense counsel, prevented defendants against hiring an attorney, and dismissed counsels' requests for additional witnesses testifying at trials.

By law, defendants must have adequate time to prepare a defense. Facilities, however, were not adequate, and in many cases meetings with lawyers were denied, restricted, or were not confidential.

Although by law defendants may ask for their trials to be conducted in Belarusian, many judges and prosecutors were not fluent in this language, rejected motions for interpreters, and proceeded in Russian, one of the official languages of the country. Interpreters are provided when the defendant speaks neither Belarusian nor Russian.

The law allows defendants to confront witnesses and present evidence on their own behalf, but authorities regularly denied these rights. In addition, riot police or other security officers who testified against defendants in these cases did not identify themselves or testified wearing balaclavas due to “concern for their security.”

By law defendants may not be compelled to testify or confess guilt. In many cases, however, authorities reportedly compelled or coerced suspects to testify against themselves or other suspects, including confessing their guilt, in politically motivated cases or those in which the authorities did not have compelling evidence. In such cases, authorities reportedly claimed sentences would be more lenient or defendants would receive other benefits if they confessed or testified against themselves. Human rights activists claimed these tactics were coercive and politically motivated. There were also reports of authorities coercing suspects into signing confessions and other statements, including pardon requests predicated on admission of guilt. Courts often allowed statements obtained by force and threats of bodily harm during interrogations to be used against defendants.

For example, during hearings at the Hrodna prison in May and June, at least four detainees deemed political prisoners by human rights organizations who were charged with “facilitating terrorism” said they were “morally and physically tortured” to testify against themselves during the investigation. One of them, Pavel Rezanovich, who was detained and charged along with his mother Lyubou Rezanovich, said that during interrogations he was forced to sign confession papers and admit guilt after KGB and investigators threatened his wife would be arrested. Rezanovich claimed he heard his mother being beaten and screaming from pain in the corridors from his cell. Another defendant in this case, Halina Dzerbysh, who was suffering from cancer and heart failure, reported that investigators pressured her by placing her in isolation wards for up to 10 days and withholding medicine even when she “lost consciousness.”

Authorities coerced political prisoners into signing pardons that included admissions of guilt and payments to the state as “compensation” for their “offenses.” On September 28, the Minsk city court convicted journalist Ksenia Lutskina, detained by authorities in December 2020 on politically motivated charges, of conspiring to take over state authority in an unconstitutional way and

sentenced her to eight years in prison. Over the course of a year, she refused to sign a letter addressed to Lukashenka begging forgiveness for her “crimes” and seeking his pardon. Authorities also withheld medical treatment to Lutschina after her health deteriorated severely, likely due to a brain tumor that had previously been in remission. Former political prisoner and Radio Liberty journalist Aleh Hruzdilovich, released on September 19, told the press that his fellow inmate and political prisoner Mikalai Papeka, was sentenced to two years in prison on charges of participating in the September 2020 postelection protests in Brest, after he repeatedly refused to sign a pardon.

Defendants had the right to appeal convictions, and many did so, but appeals courts upheld the verdicts of the lower courts in most cases.

### **Political Prisoners and Detainees**

Local human rights groups collectively maintained what was widely considered a credible and authoritative list of political prisoners in the country. As of year’s end, the list, which appeared on human rights group Vyasna’s website, contained more than 1,443 names, including leading political opposition figures and their staff.

According to human rights defenders, the government regularly falsely charged peaceful dissidents, journalists, members of the democratic opposition, and ordinary citizens with violence without evidence. These allegations generally attempted to equate the perpetuation of the regime with national security, arguing that anyone who did not support the regime was a national security threat, in effect criminalizing the political opinions of the opposition and others exercising fundamental freedoms. Authorities described and prosecuted peaceful political opponents, organizations, independent journalists, and the general expression of fundamental freedoms as “extremist” or “terrorist” threats to national security, government officials, or government supporters. The number of individuals on the regime’s list of “extremists” increased dramatically during the year to more than 2,100 by December.

Political prisoners were routinely and deliberately subject to inhuman prison conditions (see section 1.c., Prison and Detention Center Conditions), including

gross overcrowding, shortages of food, medicine, heating and warm clothing, personal hygiene products, and bedding as well as a lack of access to basic or emergency medical care and clean drinking water.

Authorities targeted political prisoners for additional penalties and extension of sentences based on minor or alleged violations of prison regulations.

Authorities generally prevented human rights or humanitarian organizations from visiting political prisoners. Former political detainees said they lacked the same protections as nonpolitical detainees and were punished in detention and often subjected to more severe abuse and poorer conditions than other prisoners (see section 1.c.). Former political prisoners continued to be unable to exercise some civil and political rights.

Political prisoners were detained for purportedly committing a number of crimes, including most commonly: incitement of hatred; illegal collection and dissemination of information about private life; defamation; insulting a government official; intentional destruction or damage to property; unlawful acts involving firearms, ammunition, and explosives; malicious hooliganism; money laundering; bribe taking; tax evasion; destruction of official documents; acts of terrorism or attempted acts of terrorism; intentional damage of a vehicle or communication lines; organization and preparation of actions that grossly violate public order, or active participation in them; high treason; unauthorized access to computer information; calls for actions aimed at causing harm to national security; resistance to a police officer or other person guarding public order; fraud committed by an organized group or on a large scale; violence or threat of violence against an Internal Affairs Ministry employee; incitement to hatred; illegal border crossing; participation in a criminal or extremist organization; conspiracy to seize power in an unconstitutional manner; creation of an extremist formation; financing the activities of an extremist group; attempted murder of a police officer; illicit trafficking of narcotic drugs; desecration of state symbols; organization or participation in riots; obstruction of the exercise of electoral rights; justifying Nazism, and abuse of historical and cultural values.

Authorities also attempted to assert without evidence that those in political opposition to the regime, independent journalists, and those active in civil

engagement or otherwise exercising fundamental freedoms were “extremists” and “terrorists” or supportive of fascism. In 2021, authorities amended the law on “countering extremism” and passed a new law “preventing the rehabilitation of Nazism” to make it easier to levy these charges (see section 2.a.). Lukashenka also enforced a law in 2021 amending the criminal code to permit the use of the death penalty for individuals convicted of “attempted acts of terrorism,” a charge the government frequently used against political prisoners and activists. The government refused to acknowledge the existence of political prisoners and asserted all detainees had committed criminal or civil offenses, despite evidence provided by human rights groups and activists indicating the political nature of their arrests, detentions, and convictions under the government-controlled judiciary. At year’s end, the Ministry of Interior listed 105 “extremist” organizations and groups, including independent media outlets and opposition chat groups, along with 2,181 “extremist individuals,” including most political opposition figures in exile. The KGB list of terrorists included 997 individuals, of whom 262 were Belarusians, and four Belarusian organizations, such as the media outlet Nexta.

Political prisoner and 2020 presidential candidate Viktor Babaryka remained in prison serving a 14-year sentence for allegedly accepting a large bribe and laundering funds obtained illegally after he sought to run in the 2020 presidential election. Human rights groups called him a political prisoner. Babaryka’s son Eduard remained in detention as of year’s end (see section 1.d., Arrest Procedures and Treatment of Detainees). Coordination Council Presidium member and one of Babaryka’s defense attorneys, Maksim Znak, and Babaryka’s campaign manager Maria Kalesnikava continued to serve their respective 10- and 11-year prison sentences, on charges of “actions that threaten national security,” creating and managing an “extremist formation,” and engaging in a “conspiracy to seize power with unconstitutional means.” On May 25, the KGB added Kalesnikava and Znak to their list of terrorists. Human rights organizations recognized Viktor and Eduard Babaryka, Maksim Znak, and Maria Kalesnikava as political prisoners.

At year’s end political prisoner and presidential hopeful Syarhey Tsikhanouski (husband of opposition leader Svyatlana Tsikhanouskaya), his cameraman Artsiom Sakau, and his social media moderator Dzmitry Papau continued to serve their

respective 18-year, 16-year, and 16-year prison sentences after being convicted on charges of organizing mass unrest and activities that violated public order, inciting social hatred, and impeding the operations of the Central Election Commission, for Tsikhanouski's alleged role in organizing peaceful, prodemocracy protests in 2020. Former presidential candidate Mikalay Statkevich and Radio Liberty journalist Ihar Losik, tried in the same case, continued to serve their 14- and 15-year prison sentences, respectively. Human rights organizations considered all five political prisoners. On June 1, the Supreme Court dismissed appeals filed by Tsikhanouski, Statkevich, Losik, and three other convicted associates and upheld their convictions. On August 11, authorities filed a transfer for Tsikhanouski from a penal colony to a higher-security facility.

On October 17, the Minsk region court convicted Siarhei Hlebka on charges of terrorism acts for setting railways on fire in order to disrupt movement of Russian military armaments and equipment on March 1. The court sentenced him to 11 years in a high-security prison. Human rights groups recognized him as a political prisoner. In a similar case, the Homyel regional court convicted in a December 27 closed-door hearing Dzianis Dzikun, Dzmitry Ravich, and Aleh Malchanau for setting fire to a railway relay cabinet that affected traffic lights and railroad switches on February 28 and sentenced them each to more than 20 years' imprisonment on charges of state treason, acts of terrorism, and participating in an extremist group. Human rights groups recognized all three men as political prisoners.

During the year, numerous political prisoners faced additional penalties based on minor or invented violations of prison regulations. This was a common tactic used by authorities to further punish political prisoners, exclude them from amnesty or clemency, deny them basic necessities, and extend their sentences. For example, on March 30, the Homyel penal colony administration repeatedly denied political prisoner Maria Kalesnikava meetings with her family. In one instance, her father told reporters Kalesnikava had supposedly spoken impolitely to a prison officer, for which she was formally reprimanded. On April 12, she was issued a second reprimand and deprived of visitation for purportedly interrupting the prison's director in a conversation.

On September 15, the Ivatsevichy regional court transferred political prisoner

Stsyapan Latypau from a low-security penal colony to a high-security prison for purportedly violating internal prison regulations. Originally sentenced in August 2021 to eight-and-one-half years on embezzlement, resisting police, and organizing and financing activities that grossly violated public order, Latypau's family revealed he had swallowed a blade and cut his veins in July to protest continued violation of his rights in prison. In 2021, Latypau also attempted to commit suicide at his trial after telling the court room he had been forced to confess.

**Amnesty:** On December 8, Lukashenka signed into law an amnesty bill that state media reported would commute sentences or grant clemency to more than 8,000 persons, but which human rights organizations said completely excluded political prisoners. According to the Interior Ministry, at least 4,545 persons would be granted relief from court-ordered sentences and punitive measures, including prison, and approximately 4,000 others would see their terms reduced by a year. State media reported it would take authorities six months to fully implement and specified it would not apply to those convicted of “extremist” or “terrorist” activities, excluding scores of political prisoners falsely convicted of such crimes. Along with these designations, the amnesty excludes other crimes most often applied to political prisoners, including participating or organizing mass riots; establishing or participating in an extremist formation; incitement of racial, national, religious, or other social hatred or discord; preparing or waging war; terrorist acts; applying violence against police; or insulting and slandering the president, public servants, or officials. State media also said the law would “be applied to those who are positively characterized by law enforcement and prison administrations,” which suggested a layer of adjudication for amnesty cases to further exclude those who did not settle punitive damages or fines – which can be deliberately exorbitant for political cases – or those who had disciplinary infractions in prison – which prison officials routinely used to target political prisoners for minor or invented infractions.

Some individuals were pardoned fully or conditionally during the year. There were reports that political prisoners were cajoled into admitting their guilt and formally requesting pardons, but these steps did not guarantee conditional pardons, since authorities pointed to other arbitrary reasons to bar their release during the pardon process. As part of the pardon process, political prisoners were sometimes

encouraged to obtain a guarantor for their release. Under the law, the guarantor could be fined if the pardoned individual did not comply with the conditions of release.

For example, Lukashenka pardoned and released four women political prisoners to mark International Women's Day on March 8. Afterwards, the regime released a video in which the women thanked Lukashenka and prison authorities, claimed they had repented, recognized their guilt, and had submitted pardon requests. One of the women, Natalia Tourova, convicted for insulting the president and sentenced to 13 months in prison, said on camera all charges against her were dropped. The three other women were Anastasia Yarashevich, sentenced to two years for violence against a police officer, Liudmila Kuzniatsova, sentenced to one year for insulting the president, and Ala Tsikhamirava, sentenced to two years on similar charges.

On September 21, authorities released political prisoner and Radio Liberty correspondent Aleh Hrudzilovich after Lukashenka pardoned him on September 19. He told the press he did not admit his guilt but did sign a pardon petition. Immediate departure from the country was a condition for Hrudzilovich's release. The government convicted him on charges of allegedly participating in protests, which he covered as an independent media journalist, and sentenced him to one year and a half in jail on March 3 (see section 2.d., Exile).

On November 17, Investigative Committee First Deputy Chairperson Aleh Shandarovich said that authorities completed their investigation of criminal cases against independent media employees and that while some employees and journalists of *Tut.by* (the largest independent media outlet in the country) cooperated with investigators, paid all damages caused by tax evasion, and appealed for a pardon, they would nevertheless face trials.

## **Transnational Repression**

Authorities engaged in acts of transnational repression during the year to intimidate or exact reprisal against individuals outside of the country, including exiled democratic opposition leaders, civil society activists, human rights defenders, and journalists. In particular, the regime carried out kidnappings and forced returns,

opened politically motivated investigations against prodemocracy activists and members of the democratic opposition, held trials in absentia, regularly abused Interpol notices, and frequently harassed exiles, subjected them to surveillance, and threatened them with violence.

On July 21, Lukashenka signed amendments to the criminal procedures code, allowing investigations and criminal cases to be conducted in absentia for suspects and defendants located outside of the country, which human rights organizations considered a way to target the exiled political figures (see section 1.e., Trial Procedures).

For example, on October 18, the Prosecutor General's Office announced it had submitted to court criminal cases against Yanina Sazanovich, Dzmitry Navosha, Daniil Bahdanovich, Volha Vysotskaya, and Valerya Zaniamonskaya for allegedly inciting social hatred and illegally collecting and disseminating personally identifiable information of security officials. The five exiled activists faced politically motivated charges for creating "extremist" groups and chats in Telegram. The Minsk city court commenced their trial on December 12. The Prosecutor General's Office also reported that Olympic silver medalist in swimming Alyaksandra Herasimenia and sports manager Alyaksandr Apeikin, who founded the independent Belarusian Sport Solidarity Foundation based in Vilnius, would also be tried in absentia on charges of calling for sanctions against the regime. Herasimenia and Apeikin were tried in absentia and were each sentenced to 12 years' imprisonment on December 26 (see also Trial Procedures subsection). On September 28, the Investigative Committee also said that 2020 presidential hopeful Valery Tsapkala was facing criminal charges of "corruption and extremism" and would be tried in absentia.

**Extraterritorial Killing, Kidnapping, Forced Returns, or Other Violence or Threats of Violence:** Authorities were credibly alleged to have kidnapped persons or used violence or threats of violence against individuals in other countries, including to force their return to the country, for purposes of politically motivated reprisal.

In May 2021, authorities forced a Ryanair flight from Athens to Vilnius to land in Minsk after air traffic control told the pilot there was a credible bomb threat on

board and scrambled a MiG-29 jet to escort the plane. Upon landing, Raman Pratasevich, a blogger and journalist critical of Lukashenka's regime, and his companion Sofia Sapega were taken off the plane, arrested, and detained. As of October, Pratasevich continued to be harassed by authorities and faced three criminal charges that human rights organizations deem politically motivated. On May 6, the Hrodna regional court sentenced Sapega, a Russian citizen, to six years in jail after she was convicted of two criminal charges, including inciting hatred within a group and illegal collection of information on private life, charges which human rights NGOs deemed politically motivated. According to prosecutors, Sapega administered several Telegram channels that were posting information about public servants and law enforcement officers responsible for abuses against peaceful protesters during the violent crackdown that ensued following the 2020 presidential election. Sapega was also ordered to compensate "the victims of her actions" a total amount of 167,500 rubles (\$64,500) for "moral damages." She appealed to Lukashenka for a pardon. As of year's end, Sapega remained imprisoned. Human rights organizations deemed both Pratasevich and Sapega political prisoners.

In July, the International Civil Aviation Organization's Fact Finding Investigative Team released its findings on the May 2021 grounding of Ryanair flight 4978. The report concluded Belarusian officials deliberately manufactured a false bomb threat to force the pilots to land in Minsk.

On September 5, the Minsk regional court convicted U.S.-Belarus dual citizen and immigration lawyer Yuras Ziankovich, Belarusian People's Front opposition party chair Ryhor Kastuseu, political analyst Aliaksandr Fyaduta, Ziankovich's assistant Volha Galubovich, and democratic activist Dzianis Krauchuk for allegedly attempting a coup d'état. Ziankovich was also charged with establishing an extremist organization and inciting social hatred and ultimately sentenced to 11 years. Fyaduta and Kastuseu were each sentenced to 10 years in prison, while Galubovich and Krauchuk, formally charged with participating in activities grossly violating public order, got two-and-a-half-year sentences each. In April 2021, Ziankovich and Fyaduta were reportedly kidnapped from the Nordic Rooms Hotel in Moscow and forcibly returned to Minsk by Belarusian security officials who operated with the tacit support or acquiescence of Russian security officials.

Independent observers said no extradition procedures or judicial processes had been initiated prior to the kidnapping and forced return.

**Threats, Harassment, Surveillance, and Coercion:** Belarusians outside the country reported instances of harassment, surveillance, and intimidation from individuals suspected of affiliation with the Lukashenka regime. Human rights defenders also reported that individuals inside the country were harassed or arrested after their family members fled the country or joined one of the Belarusian battalions fighting alongside the Ukrainian armed forces. According to the Polish-based Radio Racyja's November 7 report, Siarhei Bandarenka, cousin of deceased volunteer fighter in Ukraine, Vasily Parfyankou, was arrested on July 8 after reposting "extremist" information regarding his cousin's death. He was convicted and served 15 days in prison. Authorities subsequently beat Bandarenka and leveled new charges against him, putting him in a hospital, from where he escaped and fled the country. Human rights groups reported in July that security officials detained Parfyankou's mother and sister and searched their residence. They were reportedly charged with resisting police and served 10 days of detention. In April, police-associated Telegram channels posted a video of the mother condemning her son's participation in the war and support of Ukraine.

Authorities repeatedly damaged or destroyed exiled activists' property as a method of retaliation. On June 28, for example, law enforcement authorities raided the Minsk apartment of exiled blogger and military analyst Anton Matolka. Matolka's organization monitors military and intelligence activities and movements, including those of Russian troops in Belarus. Authorities caused significant damage to his apartment and publicized the ransacked property on proregime social media pages.

There were reports that authorities exerted pressure on relatives of opposition supporters who had fled the country in order to punish or coerce the person who had fled. For example, on January 28, Yana Latushka, daughter of exiled opposition leader Pavel Latushka, told the press that the Financial Investigations Department of the State Control Committee opened a criminal investigation against her and froze her assets, including her Minsk apartment. On September 20, a Minsk court sentenced Anatoly Latushka, cousin of Pavel Latushka, to six years in prison. Latushka and two others were charged with painting the illegal

“Pahonia” coat-of-arms on mailboxes. The other two defendants received lesser sentences.

**Misuse of International Law Enforcement Tools:** There were credible reports that authorities misused international law-enforcement tools for politically motivated reprisals against Belarusians. In September, for example, the Prosecutor General’s Office said it filed 179 Interpol notices, mainly in Russia (140 notices). There were no reports of deportations based on the notices.

**Efforts to Control Mobility:** There were credible reports that the country’s embassies abroad refused consular services to citizens who fled abroad and told them to return to the country for such services, including obtaining new passports and registering newborn children. These individuals said they would not return due to fear of politically motivated detentions, torture in prison facilities, and the lack of rule of law to protect them from human rights abuses.

**Bilateral Pressure:** There were credible reports that Belarusian authorities attempted to exert bilateral pressure on countries, including Lithuania, to take adverse action against Belarusians who fled the country to avoid human rights abuses, politically motivated arrests, and punishment by authorities. For example, in March 2021, the Prosecutor General’s Office stated that opposition leader Svyatlana Tsikhanouskaya was wanted for “crimes committed against public order, public safety, and the state” and that Belarusian authorities requested that Lithuania extradite her. On March 4, the Prosecutor General’s Office opened another criminal case against Tsikhanouskaya on charges of committing treason and harming national security by publicly calling for “acts of terrorism, sabotage,” and sanctions in her antiwar statements. The Lithuanian government continuously denied Belarus’ extradition requests, which according to the Belarusian Investigative Committee’s press release on October 21, led to Tsikhanouskaya and her Coordination Council associates, including Pavel Latushka, Volha Kavalkova, Siarhei Dyleuski, and Maria Maroz, being investigated and potentially tried in absentia. Authorities charged them with attempting to take over government buildings, preparing mass riots, conspiring to take over state powers, committing treason, calling for sanctions, and creating and leading extremist groups, among other criminal counts.

## **Civil Judicial Procedures and Remedies**

The law provides that individuals may file lawsuits seeking damages for human rights violations, but the civil judiciary was not independent and was not impartial in such matters.

## **Property Seizure and Restitution**

Authorities harassed and pressured opposition leaders and activists through property seizures and confiscation. For example, independent media reported on November 11 that authorities auctioned off a summer house confiscated from Minsk-based opposition activist Nina Bahinskaya over multiple unpaid fines in 2016. In a separate case, Svyatlana Tsikhanouskaya told the press on September 6 that authorities confiscated the Minsk apartment she shared with her husband and political prisoner Siarhei Tsikhanouski as compensation for damages Tsikhanouski allegedly caused to the state. Political prisoner Ihar Losik's property, including household appliances and furniture, was also confiscated from his place of residence in July and auctioned in August. Losik's wife stated that they were denied a request to buy the property back (see sections 1.d., Arbitrary Arrest and 1.e., Political Prisoners and Detainees).

There are no laws providing for restitution or compensation for immovable private property confiscated during World War II or the Soviet period. In 2019, the government reported that in the previous 11 years it had not received any requests or claims from individuals, NGOs, or any other public organization, either Jewish or foreign, seeking compensation or restitution of any property.

For information regarding Holocaust-era property restitution and related topics, please see the Department of State's Justice for Uncompensated Survivors Today (JUST) Act Report to Congress at: <https://www.state.gov/reports/just-act-report-to-congress/>.

## **f. Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence**

The law prohibits such actions, but the government routinely did not respect these prohibitions. Authorities used a wide variety of illegal surveillance methods and

other forms of unlawful privacy violations to control dissent and free speech, and to monitor opposition groups, activists, journalists, and ordinary citizens. This included facial recognition, wiretapping, video surveillance, and a network of informers, which deprived persons of privacy.

The law requires a warrant before or immediately after conducting a search. The KGB has authority to enter any building at any time, as long as it applies for a warrant within 24 hours after the entry. The regime's full control over the judiciary, however, made the warrant process a formality.

While security officers generally were able to obtain warrants even in politically motivated cases, there were reports authorities entered properties without judicial or other appropriate authorization. After the 2020 presidential election and continuing through 2022, frequent instances were reported of plainclothes officers forcing entry into private homes or businesses. These officers often refused to show identification or a warrant, or claimed it was sufficient for them to state their affiliation with a government agency and proceed with the entry. Authorities carried out surveillance online.

On October 21, Lukashenka signed a new regulation to provide the KGB access to all databases of any websites inside the country. Under the decree, all telecom operators and owners of internet resources are required to use the "electronic interaction information system" to communicate with the State Security Service and KGB. There were reports that authorities accessed, collected, or used private communications or personal data arbitrarily or unlawfully or without appropriate legal authority. For example, after the 2020 presidential election and afterwards, security officials often threatened detained individuals with violence if they did not unlock their cell phones for review. Officials also threatened individuals at detention facilities with harsher sentences if they did not unlock their cell phones or laptops that had been confiscated. Increasingly during the year, security officials reportedly treated more harshly individuals with photographs or social media accounts that officials regarded as pro-opposition or that showed security forces committing abuses. On May 26, a Minsk district court convicted popular blogger Volha Tomina on politically motivated charges of participating in action grossly violating public order in 2020 based on photographs found in her cell phone. She was sentenced to two years in prison. In a separate case, police in

Homyel reported on April 15 that two local residents were arrested for spraying graffiti in support of Ukraine and for supporting “radical Ukrainian, Belarusian, and Polish nationalism” based on materials found by security officials in their cell phones. Human rights groups also reported multiple cases of political prisoners, serving sentences at probation facilities, being searched and their cell phones checked for subscription to alleged “extremist” messenger chats and other banned online resources.

While the law prohibits authorities from intercepting telephone and other communications without a prosecutor’s order, authorities routinely monitored residences, telephones, and computers. Political opposition and civil society activists claimed that authorities regularly monitored their conversations and activities. The government continued to collect and obtain personally identifiable information on independent journalists and democratic activists during raids and by confiscating computer equipment.

The law allows the KGB, Ministry of Internal Affairs, special security services, financial intelligence personnel, and certain border guard detachments to use wiretaps. Wiretaps require the permission of a prosecutor, but the lack of prosecutorial independence rendered this requirement meaningless. The Ministry of Communications has authority to terminate the telephone service of persons who violate telephone contracts, which prohibit the use of telephone services for purposes contrary to state interests and public order.

Authorities used internet and social media controls, blocking or filtering of websites and social media platforms, spyware, data analytics, and other forms of internet control and surveillance against a wide swath of the population.

According to the 2022 *Freedom on the Net Report* published by the NGO Freedom House, internet freedom continued to decline following the 2020 presidential election with repression against online journalists, activists, and internet users.

The government also blocked the websites of civil society and independent media groups operating in exile. These practices continued during the year. The government employed systematic, sophisticated surveillance techniques to monitor its citizens and control online communications at its discretion and without independent authorization or oversight.

The October 21 decree regulating “interaction between telecommunication operators, telecommunication service providers, owners of internet resources and agencies engaged in operational and search activities” mandated online resources such as email providers, instant messengers, online stores, and taxi and car sharing services to store user data and provide authorities with remote access to the data. The decree also established the Operational Analytical Center, which reports directly to Lukashenka, with the authority to obtain direct round-the-clock access to national and subnational databases and information systems of internet resources for the purpose of operational and search activities. All websites designated by these agencies are required to install a system that gives them such access. According to human rights experts, law enforcement and intelligence agencies received and compared telecommunications data with data from online services, practices that cannot be challenged in court due to their covert nature. In addition, website owners and communication providers are required to keep information about all services provided to users for at least one year.

After the 2020 election, security officials increased efforts to monitor and infiltrate encrypted messenger chat groups. According to multiple reports, dozens of political prisoners were implicated based on screen shots from the online messaging platform Telegram chats or from IP addresses acquired when they opened spoofed unsecure links authorities sent to encrypted chats.

The government utilized the Russian-developed System of Operative Investigative Measures, which provides authorities with direct, automated access to communications data from landline telephone networks, mobile service providers, and internet service providers. The government also blocked and filtered websites and social media platforms (see section 2.a., Internet Freedom). The country employed a centralized system of video monitoring cameras. Authorities sought surveillance and hacking tools from several countries and developed domestic capacity that links closed-circuit television cameras in the country and other Commonwealth of Independent States countries and uses facial recognition technology. In 2020, the EU-sanctioned Belarusian information technology firm Synesis for providing “Belarusian authorities with a surveillance platform...making the company responsible for the repression of civil society and democratic opposition by the state apparatus.” On August 24, Minsk senior

investigator Siarhei Pasko said the Minsk city investigative office created a database of “hundreds of thousands of video files, which helped identify over 1,400 participants of street protests” for the purpose of arresting, detaining, and charging them for their participation in unsanctioned mass events.

State television reportedly obtained state surveillance footage and wiretap transcripts from state security services and used it to produce progovernment exposes against the opposition.

Authorities maintained informant networks at state enterprises after the 2020 presidential election to identify which workers intended to strike or were agitating for political change, according to political activists.

Family members were reportedly punished for offenses allegedly committed by their relatives (see section 1.e., Transnational Repression). Authorities temporarily removed or threatened to remove children from the custody of their parents to punish the parents for protesting or political activism. For example, on August 19, Minsk police arrested Natallia Karneyeva and her husband, who was released 10 days later, on protest-related charges. Authorities placed her 10-year-old daughter into a state foster facility since Natallia’s husband was the stepfather and she had no immediate family members. Natallia remained in detention at that time but on November 2, was convicted on charges of participation in action grossly violating public order and sentenced to three years of house arrest.

## **g. Conflict-related Abuses**

Belarus facilitated and supported Russia’s invasion of and war against Ukraine by allowing Russia nearly unrestricted use of its territory, airspace, and military facilities, providing major strategic advantage and logistical support. Russian troops staged part of their initial invasion of Ukraine from Belarusian territory, giving Russia the quickest possible access to Kyiv. Belarus also allowed Russia to station missile launchers, airplanes, and other munitions to attack Ukrainian targets from Belarusian territory. Lukashenka announced the deployment of a “joint regional group” of forces with Russia in October but had not actively sent Belarusian troops to Ukraine by year’s end. After this announcement, Russia sent a new wave of troops and materiel to Belarusian military facilities for training and

staging. Throughout the year, Belarus provided medical, material, and logistical support to Russian troops. Human rights organizations asserted these actions made Belarus complicit in Russia's human rights abuses in Ukraine (see Russia's 2022 *Country Report on Human Rights Practices* for specific abuses).

## **Section 2. Respect for Civil Liberties**

### **a. Freedom of Expression, Including for Members of the Press and Other Media**

The constitution provides for freedom of expression, including for members of the press and other media; however, the government did not respect these rights and selectively enforced numerous laws to control and censor the public and media and repress independent journalism. Authorities forced the closure of virtually all independent media outlets and labeled journalist and opposition voices “extremist,” giving authorities a legal pretext to detain and prosecute individuals for expressing opposition to the regime or reporting on the regime's abuses. The government passed additional laws in 2021 to make it illegal to report or stream video from unauthorized mass events and expanded authorities' ability to close media outlets. The state press and associated social media propagated views supportive of the president and official policies without giving room for critical voices and actively disparaged the regime's opponents.

**Freedom of Expression:** Individuals could not criticize government officials or the government publicly or discuss matters of general public interest without fear of reprisal, including prosecution, forced exile, and being subjected to other forms of intimidation and harassment. There are also laws criminalizing libel, “hate speech,” and expression of political views, which authorities used to restrict freedom of expression and peaceful assembly.

On July 5, a court in Mahilyou sentenced local student Danuta Piarednia to six-and-a-half years in jail on charges of insulting Lukashenka and damaging national interests. Piarednia reportedly posted antiwar materials online criticizing Russian President Putin and Lukashenka and calling for street protests on February 27. On September 6, a Minsk district court convicted opposition and trade union activist Ihar Lednik on politically motivated charges of “libeling the president” and

sentenced him to three years in prison. According to the verdict, Lednik, who had been in pretrial detention since April 18, authored a December 2020 article that “cited intentionally false information, libeling and humiliating the president’s dignity” and allegedly accusing Lukashenka of crimes against humanity.

Authorities also prohibited displaying certain historical flags and symbols, including the historic white-red-white-striped flag adopted by the democratic opposition, and displaying placards bearing messages deemed threatening to the government or “public order.”

Authorities continued to undertake significant steps to suppress freedom of expression, regularly detaining and prosecuting opposition bloggers, journalists, and social media users. For example, on March 30, a district court in Minsk sentenced blogger and television producer Uladzislau Savin to eight years’ imprisonment on charges of fraud and organizing and participating in unauthorized mass events. Human rights NGOs stated that Savin’s arrest was due to his participation in three peaceful protests surrounding the presidential election in 2020 and for organizing peaceful protests through videos he posted on his Instagram account.

On September 14, the Hrodna regional court convicted independent journalist Dzianis Ivashyn of high treason and sentenced him to 13 years in prison. State media claimed Ivashyn “called for damaging...national security” and reported that authorities ordered him to pay a 4,800-rubles (\$1,900) fine and compensation of 2,000 rubles (\$800) to each of nine unnamed riot police he “defamed” in his publications. Human rights groups assessed Ivashyn’s prosecution was in response to his exposés regarding former Ukrainian police special forces (Berkut) members employed by the Belarusian police.

Authorities continued to dismiss state employees who expressed political dissent or participated in protests after the 2020 presidential election, including teachers, civil servants, law enforcement officers, athletes, university administrators, and health-care workers.

For example, on September 19, Lukashenka signed a decree depriving 83 former military, security, and law enforcement officers of their ranks, regalia, and pension

due to their criticizing the government and actions in support of the political opposition. A similar decree depriving 87 persons of their ranks and benefits was issued in May 2021. The 2022 decree targeted, for example, Valery Sakhashchyk, a former military officer who became a member of the United Transitional Cabinet (UTC), created by the democratic opposition to facilitate a democratic transition of power. The decree also listed Olympic sprinter Krystsina Tsimanouskaya (assigned as a law enforcement official and given a pension as part of her Olympic team assignment), whom authorities attempted to forcibly repatriate from the Olympics in Tokyo in 2021 after she criticized authorities on social media, and Aleh Talerchyk, a former prosecutor and current member of the Warsaw-based association of former law enforcement officers BYPOL, which documented abuses committed by state security and law enforcement agents. Others stripped of their titles, ranks, pensions, and formally dismissed included security officials who resigned in protest of police violence, persons fighting in Ukraine against the Russian military, and those previously convicted or prosecuted on politically motivated charges. For example, on September 5, the Minsk city court sentenced former investigator Stanislau Puhachou to seven years in prison after a closed-door trial on charges of inciting social hatred, collecting and disseminating personal data after he publicized police officers' personal data online. A former investigator, he was later targeted by the decree.

The law also limits free speech by criminalizing actions such as giving information that authorities deem false or derogatory to a foreigner concerning the political, economic, social, military, or international situation of the country. There were no indications authorities charged any individuals under this law during the year.

The government prohibits calls to participate in “unsanctioned demonstrations” (see section 2.b., Freedom of Peaceful Assembly).

Authorities also prohibited “extremist” information, which they defined as “information materials including printed, audio, visual, videos, placards, posters, banners and other visuals intended for public usage or distribution that seek the violent change of the constitutional order or the territorial integrity of the country; unconstitutional takeover of state powers; establishment of an illegal armed force; terrorist activities; inciting racial, ethnic, religious or other societal hatred; organizing mass riots; hooliganism and vandalism based on racial, ethnic,

religious, or other societal hatred or discord; political and ideological hatred; promotion of supremacy of a group of residents based on their language, social, racial, ethnic, or religious background; and justification of Nazism, including the promotion, production, distribution, and displays of Nazi symbols.” “Extremist” information also included images of persons declared extremists or convicted on charges related to extremism, charges often used to incriminate the political opposition, journalists, civil society activists, and ordinary citizens. An Interior Ministry official said on May 17 that from January through April, police detained 237 individuals for disseminating “extremist” materials, compared with 315 persons in all of 2021.

In 2021, the regime amended the law on “countering extremism,” broadening the definition of “extremist activity” to include the distribution of information that authorities deemed “false,” organizing and holding events (i.e., assembling freely), and perceived insolence or attempts to discredit state institutions or officials. Among the activities authorities deemed “extremist” were regular independent journalism; efforts by the opposition, activists, and protesters to express their opinions or assemble peacefully; alleged attempts to seize state powers; acts of “terrorism”; justifying Nazism; financing “extremist” or “terrorist” activity; and inciting social and other hatred, among other acts. Authorities introduced individual liability for “extremist activities” and expanded the list of potential “extremist” organizations to include trade unions, NGOs, media organizations, and democratic opposition groups in exile. Law enforcement officials were also granted permission to use firearms at their discretion when “countering extremism” – viewed by independent observers as an open threat against journalists, protesters, activists, and the regime’s political opponents.

In June 2021, the regime also introduced a law on “preventing the rehabilitation of Nazism,” which expanded the list of prohibited “Nazi symbols and attributes” to include symbols used to denote support for the opposition. Although the “Pahonia” coat of arms emblem is on a registry of the government’s historic and cultural symbols, the government expressed hostility toward protesters who carried red and white flags or the Pahonia symbol, and security forces detained demonstrators or any individual for doing so, as these symbols were generally identified with the opposition. On October 28, the Interior Ministry declared the

slogan “Long Live Belarus” and the response to it “Live Long,” accompanied by extending the right arm from the shoulder with a straightened hand, as Nazi symbol and attributes, citing it was “a collaborator’s greeting” similar to the Sieg Heil salute. The “Long Live Belarus” and the response of “Live Long” had been associated with the national revival movement and later opposition and democratic activities, particularly widely used by peaceful protesters in 2020.

The human rights center Vyasna reported that an individual wearing a T-shirt with the Pahonia emblem was detained at a spa resort in the Minsk region and convicted on charges of violating the law on holding unsanctioned mass events on September 5. He reportedly served 15 days in detention. In another case in September, a court fined chair of the NGO Positive Movement Tatsiana Pechka for the same crime and fined her 3,200 rubles (\$1,280) for white and red colors on her car plates.

As of September, the Ministry of Internal Affairs declared that more than 700 Telegram channels disseminated “extremist” materials and over 90 Telegram channels and online chat groups had been recognized as “extremist organizations,” including prominent independent media resources *Kyky.org* and *BelaPAN* and several local neighborhood chats. Authorities warned that subscribing to, downloading materials from, and reposting information from these channels would be punishable under the law. For example, civil campaign activist Alena Lazarchyk was convicted of multiple criminal charges, including creating and running an “extremist organization,” the activist opposition group European Belarus, and sentenced to eight years in prison on September 19.

On April 18, the Interior Ministry declared popular Telegram channel *Belarus of the Brain* and its social media accounts an “extremist organization.”

**Violence and Harassment:** Authorities continued to harass and detain local journalists routinely. According to the independent Belarusian Association of Journalists, at least 400 journalists had fled the country since August 2020 due to repression. Security forces brought false allegations against them and sentenced them to prison terms for doing their jobs. As of September, the Belarusian Association of Journalists reported it had recorded at least 70 cases of harassment against local journalists since the start of the year, which included detentions,

unwarranted searches, fines, and prison sentences. In July 2021, security officers detained and beat the chief editor of the independent newspaper *Nasha Niva*, Yahor Martsinovich, and editorial member Andrei Skurko. According to his spouse, Martsinovich suffered a head injury during detention, which was confirmed when doctors examined him in the investigators' office. On March 15, a district court in Minsk jailed Martsinovich and Skurko for two-and-one-half years on charges of not paying utilities for a residence used as their office.

As of year's end, at least 30 media representatives remained in detention under various politically motivated charges, including forming or participation in an "extremist" group, calls to violate public order, tax evasion, and organizing and participating in actions that violate public order. For example, on June 8, Radio Liberty freelancer Andrei Kuznechyk was sentenced to six years' imprisonment on charges of leading an "extremist" organization after being detained since November 2021. Human rights NGOs deemed Andrei a political prisoner and asserted his politically motivated charges were reprisals for his exercising freedom of expression and his reporting.

Similarly, on August 3, Belsat TV journalist Iryna Slaunikava was sentenced to five years' imprisonment for allegedly forming an "extremist" group and organizing and participating in actions that violate public order, referring to her reporting work for Belsat TV, which authorities deemed "extremist," and her involvement in the 2020 protests surrounding the presidential election.

Authorities' harassment and intimidation of journalists often included violently raiding their offices, searching their homes, confiscating their property, and subsequently detaining and prosecuting them. For example, on October 6, independent media reported that police searched the residence of Sniazhana Inanets, an independent journalist, and her spouse Alyaksandr Lychauka, who also wrote for multiple independent websites, and detained them on charges of participating in the 2020 protests.

Authorities harassed members of the analytical community who regularly contributed articles or commentary to independent media on political and economic matters. For example, since June 2021, Valerya Kastsyuhova, political scientist, analyst, and editor of the publication *Belarusian Annual Report*, remained

in pretrial holding on charges of conspiring to seize state powers and of calling to damage national security. On July 13, police arrested military analyst Yahor Lebyadok for his interview with “extremist media” and for facilitating extremist activities. The Minsk regional court sentenced him to five years in prison on December 23.

As part of the broader crackdown on any political dissent, police detained, interrogated, and arrested at least 44 National Academy of Sciences workers and professors, according to independent media reports on November 2. While most of the scientists were released after their cell phones were checked for “extremist” materials and they were warned against engaging in political activity, at least one academic, Aleh Davydenka, and his spouse were charged with participating in action grossly violating public order for 2020 protests based on photographic and video footage, and subsequently dismissed. A Minsk district court sentenced them to two to three years of house arrest on December 29. Another academic was detained for 10 days on charges of allegedly disseminating extremist materials.

Authorities also continued to harass journalists during their politically motivated prison sentences. For example, as Belsat TV journalist Katsiaryna Andreieva’s two-year prison sentence was about to end, authorities convicted her on July 13 of additional charges of state treason and espionage and subsequently sentenced her to another eight years in prison following a closed-door trial. Andreieva was originally sentenced in February 2021 to two years’ imprisonment on charges of “organizing actions that grossly violated public order” for livestreaming a violent police crackdown on a peaceful protest in Minsk in November 2020. She was originally due to be released in September, before she was convicted of the additional charges.

**Censorship or Content Restriction for Members of the Press and Other Media, Including Online Media:** Authorities severely limited access to information, closed independent outlets, and penalized any independent journalist who published information critical of the government. By year’s end, the government had succeeded in shutting down virtually all remaining major independent media outlets and had severely limited operations of the regional media in the country. By law, the government may close a publication – printed or online – after two warnings in one year for violating a range of restrictions on the

press. Regulations also give authorities arbitrary power to prohibit or censor reporting. The Ministry of Information may, by law, suspend periodicals or newspapers for three months without a court ruling.

The threat of government retaliation led the few small independent media outlets still operating within the country to exercise self-censorship and avoid reporting on certain topics, including Russia's war against Ukraine, or criticizing the government. The government tightly and directly controlled the content of state-owned broadcast and print media. Authorities extensively censored the internet (see section 2.a., Internet Freedom).

On December 12, the editorial of the last remaining printed national newspaper *Belorusy I Rynok* reported receiving a letter from the Information Ministry to cancel the newspaper's license as of December 1. The ministry blocked the newspaper's website on July 23, citing its reference to "extremist materials." The publication's director, Kanstantsin Zalatykh, had been in pretrial detention on politically motivated charges of inciting social hatred since May 18.

State-controlled media did not provide balanced coverage and overwhelmingly presented the authorities' version of events, including falsehoods and disinformation released by the Lukashenka regime. State-owned media dominated the information field and maintained the highest circulation through generous subsidies and preferences. There was no countrywide private television, and broadcast media space was dominated by state-owned and Russian stations. Pro-Lukashenka and pro-Russia viewpoints, including those disseminated by Russia's state-controlled press, continued to dominate the press in the country. During the year, state media and state-sponsored social media actively and routinely propagated the Lukashenka regime's efforts to portray opposition politicians as enemies of the state, criminals, or "extremists." Authorities warned, fined, detained, interrogated, and stripped accreditation from members of the independent domestic media. Some state media journalists who quit were later detained, such as journalist Dzmitry Semchanka, who was arrested on September 15 and detained for 15 days.

Authorities allowed only nationals of the country where a media outlet is based to be accredited as correspondents. All Belarusian nationals working for major

Western outlets were stripped of accreditation in 2020 and were not reaccredited.

The law prohibits media from disseminating information on behalf of unregistered political parties, trade unions, and NGOs. By year's end, authorities had eliminated all national and major regional independent media outlets in the country through several rounds of targeted reprisals, forced closures and liquidations, politically motivated prosecutions, website blockages, or other efforts to incapacitate the organizations. After stripping *Tut.by* of its media license in 2020, authorities raided the outlet's offices, blocked its website, and arrested its journalists and leadership in May 2021. On June 14, the Supreme Court classified Tut.by Media Ltd. as an "extremist" group, which prohibited its operations, banned its symbols and trademark, and allowed authorities to confiscate its property. Authorities continued to close the remaining major regional and local media outlets throughout the year. Actions against independent media included the July 11 decision to block access to prominent independent history magazine *arche.by* for reposting "extremist materials," and the August 24 decisions to block the popular news and analytical resource *reform.news* and the Minsk city lifestyle online magazine *citydog.io*. Some closed or blocked media operations re-established and continued their operations from outside the country.

The government penalized those who published items counter to government guidelines. Some private retail chains also refused to continue selling copies of regional independent newspapers due to government pressure, and state-run and private printing houses refused to print them. For example, as of January 1, a printing house in Brest refused to continue printing copies of the regional independent newspaper *Hantsavitski Chas*. In general, editors were forced to procure printing services abroad, but had difficulty doing so in some countries, like Russia, which began refusing to print Belarusian independent newspapers. Independent media outlets, including newspapers and internet news websites, faced discriminatory publishing and distribution policies, including limited access to government officials and press briefings and bans on printing paper copies.

Authorities warned businesses not to advertise in newspapers that criticized the government. Private vendors, such as retail stores, conscious of tax inspections and other forms of economic pressure, refused to sell regional independent newspapers. Advertisers continued to be pressured not to give their advertising

dollars to out-of-favor, nonstate newspapers.

**Libel/Slander Laws:** Libel and slander are criminal offenses, and authorities acted on these laws, especially to restrict freedom of expression, prohibit voicing opposition to the government, and generally retaliate against journalists and political opponents. The law provides large fines and prison sentences of up to four years for defaming or insulting the president. Penalties for defamation of character make no distinction between private and public persons. A public figure who is criticized for poor performance while in office may sue both the journalist and the media outlet that disseminated the critical report for defamation.

Following a September 2021 incident in which a KGB officer and an information technology worker were shot during a KGB raid, the KGB detained 200 persons for making comments critical of the KGB's actions in the raid, and criminal cases were opened under the legal provision that prohibits insulting an official. After the Russian branch of *Komsomolskaya Pravda* released an article that included a comment from a friend of the technology worker offering a positive description of his character, Belarusian authorities blocked online access to its website and arrested Hienadz Mazheyka, the Belarusian author of the article. Mazheyka remained in pretrial detention at year's end. The Russian government criticized the action as a violation of media freedom, and the outlet decided to close its Belarus office and relocate staff to Russia.

Courts around the country convicted dozens of individuals recognized as political prisoners on criminal charges of slandering officials and inciting social hatred for their commentary in social media. For example, the Brest regional court sentenced former journalist of the state news agency *Belta* Ina Mozhchanka, detained in September 2021, to three years in prison and a fine of 3,200 rubles (\$1,200) on September 8.

**National Security:** Authorities frequently cited national security and “extremism” or “terrorism” to arrest or punish critics of the government or deter criticism of government policies or officials. National security and “extremism” and “terrorism” charges were widely used to incriminate members of the political opposition, journalists, and ordinary citizens (see sections 1.d., Arbitrary Arrest and Detention, and 1.e., Political Prisoners and Detainees).

## Internet Freedom

Authorities censored online content and monitored private online communications without appropriate legal authority. The regime's total control of the country's legislature, law enforcement, and judicial systems allowed authorities to monitor internet traffic without accountability or independent review. According to Freedom House's 2022 *Freedom on the Net Report*, authorities blocked political, social, and religious content as well as the websites of civil society and independent media operating in exile. Laws also restricted online media and limited the transfer of data abroad. Progovernment commentators regularly manipulated online discussions. All internet service providers located inside the country are required to retain information about their customers' browsing histories for one year. Companies are also required to preserve identifying data regarding their customers' devices and internet activities for at least five years and to turn over this information at the government's request.

The government also monitored email and social media. All who expressed their views via the internet risked possible legal and personal repercussions, and many regularly practiced self-censorship. The use of VPNs (virtual private networks) alleviated this risk some, but authorities reportedly regularly forced those arbitrarily arrested to unlock their cell phones so they could access their social media and personal email accounts.

According to Ukrainian military intelligence, internet disruptions in Belarus were reported as early as April 1, and later throughout the month, access to the internet was restricted in entire regions to the south and southeast of Minsk where Russian military equipment most frequently was transported. The Ukrainian Main Intelligence Directorate asserted that the internet restrictions were an attempt to conceal the movement of Russian military equipment through the country.

Authorities filtered and blocked internet traffic. Telecommunications companies reported that authorities ordered them to restrict mobile internet data on the days when large-scale demonstrations were expected or occurred.

Authorities restricted content online. Online news providers must remove content and publish corrections if ordered to do so by authorities and must adhere to a

range of government prohibitions on free speech (see section 2.a., Freedom of Expression). Authorities may block access to sites that fail to obey government orders, including a single violation of distributing prohibited information, without a prosecutor or court mandate. If blocked, a network publication loses its media registration. Owners of a website or a network publication have one month to appeal government decisions to limit access to their sites or to deny restoring access to them in court. As of September, the Ministry of Information had blocked access to more than 50 additional websites and their mirror pages. For example, a Minsk district court blocked access to [symbal.by](http://symbal.by) on August 17 and recognized it as “extremist.” [Symbal.by](http://symbal.by) is the website of a prominent retailer of merchandise featuring national symbols affiliated with the opposition, such as the Pahonia coat of arms.

Authorities also prosecuted individuals for online content that countered the regime’s views and state propaganda and exposed its abuses. For example, on June 24, a Minsk district court sentenced Mark Bernstein to three years of house arrest for his edits to a Wikipedia page on Russia’s war against Ukraine.

There were also efforts to restrict or block social media outlets online (see section 2.a., Censorship or Content Restrictions for Members of the Press and other Media, Including Online Media). Authorities punished individuals for expressing their political views online (see section 2.a., Freedom of Expression). For example, authorities targeted Telegram users and group chat administrators throughout the year, prosecuting them for allegedly organizing and coordinating protest activity. On April 12, the Homyel regional court sentenced Yauhen Maranets to four years’ imprisonment for purportedly administering a chat in which he organized protests. Authorities convicted him on charges of creating an extremist organization and participating in action grossly violating public order.

Owners of internet sites may also be held liable for user comments that carry any prohibited information, and these sites may be blocked. The law mandates the creation of a database of news websites and identification of all commentators by personal data and cell phone numbers. If a news website receives two or more formal warnings from authorities, it may be removed from the database and lose its right to distribute information.

By law the telecommunications monopoly Beltelecom and other organizations authorized by the government have the exclusive right to maintain internet domains.

Authorities attempted to restrict online anonymity. A presidential edict requires registration of service providers and internet websites and requires the collection of information on those who used public internet. It requires service providers to store data on individuals' internet use for one year and provide data to law enforcement agencies upon request. Conviction for violation of the edict is punishable by a prison sentence, although no such violations were prosecuted. These potential government prosecution efforts, however, spurred the use of encrypted messenger programs, such as Telegram, that circumvented restrictions.

There were reports of politically motivated cyberattacks. Government webpages and databases were reportedly hacked. In March, the government confirmed that the Belarusian State Institute for Certification and Standardization was attacked. State actors regularly used bots or trolls to manipulate social media and Telegram messenger chats discourse.

### **Restrictions on Academic Freedom and Cultural Events**

The government restricted academic freedom and cultural events.

Educational institutions were required to teach an official state ideology that combined reverence for the achievements of the former Soviet Union and of the country under the leadership of Lukashenka. Government-mandated textbooks contained a heavily propagandized version of history and other subjects. Authorities obligated all schools, including private institutions, to follow state directives to inculcate the official ideology and prohibited schools from employing opposition members and activists. The minister of education has the right to appoint and dismiss the heads of private higher educational institutions.

During the year, the government restricted artistic presentations or other cultural activities and dismissed dozens of workers in cultural institutions in retribution for their support of the prodemocracy movement or otherwise expressing opposition to the regime or its views. For example, as of April 1, the administration of the National Opera and Ballet Theater had not extended a labor contract with

prominent conductor Ivan Kastsyakhin due to his participation in the 2020 postelection protests and activism online. Similarly, on April 26, independent media reported that the Ministry of Culture forced the Vitsebsk-based Drama Theater to dismiss director Mikhail Krasnabayeu and ban his production for political purposes. Two of the theater's actors engaged in the production were also dismissed as of January 1.

On September 26, Minsk city authorities canceled the premier of the operetta *The Duchess of Chicago* at the Minsk Musical Theater, reportedly for its positive portrayal of the United States. Only licensed private or state entities were allowed to organize and hold music performances and concerts. Authorities sought to penalize those who performed for mass audiences without official permission and those who performed songs that could be deemed as protest-related or antiwar. For example, police arrested singer Meryem Herasimenka on August 4, after she performed a Ukrainian song at a popular nightlife venue. She was charged with participating in action grossly violating public order for protesting in 2020 based on the online and social media photographs, including what authorities identified in her cell phone.

## **b. Freedoms of Peaceful Assembly and Association**

The constitution provides for freedom of peaceful assembly, but the government denied this right and employed a variety of measures to prevent and brutally suppress demonstrations, minimize their effect, and punish participants. The law provides for freedom of association, but the government severely restricted it and forcibly closed hundreds of civil society organizations, NGOs, and all independent labor unions.

### **Freedom of Peaceful Assembly**

By law, only registered political parties, trade unions, and NGOs could request permission to hold a demonstration of more than 1,000 persons. Authorities systematically denied such requests by independent and opposition groups as well as those of self-organized citizens' groups.

The law penalizes organization and participation in unauthorized gatherings, the announcement of an intention to hold a mass event before securing official

authorization, training protesters, financing public demonstrations, or soliciting foreign assistance “to the detriment” of the country. The law also criminalizes public calls to organize or hold unauthorized gatherings, street marches, and other types of demonstrations, encouraging others to participate in mass events, or paying for participation in mass events. Convictions for some violations are punishable by sentences of up to five years’ imprisonment. Persons with criminal records for crimes related to violating peace and order, statehood and governance, public security, safety, public morals, and crimes against the state were barred from organizing mass events. Individuals who were fined or arrested for participating in unauthorized mass events also may not organize mass events for a period of one year from the imposition of the sentence. The mass events law also prohibits collection and use of funds to reimburse fines imposed on violators by authorities. It is illegal to broadcast or provide live coverage of mass events held in violation of the law “for the purpose of their promotion or propaganda.” The law includes fees for mass events as well, including a system of reimbursements for police, medical, and cleaning services that organizers of mass events must pay to hold an event.

Authorities continued to deny permits for public demonstrations. For example, on April 22, Minsk city authorities denied a permit to allow the opposition Green Party to hold its annual demonstration marking the 36th anniversary of the Chernobyl nuclear accident, claiming the proposed route for the demonstration did not meet the authorities’ mass event requirements, and the timing of the rally could interfere with transport and pedestrian traffic. Authorities also cited police, ambulance, and cleaning services’ refusal to sign a contract with the organizers as additional reasons for denying the event’s approval.

Police violently detained and jailed opposition members, civil society activists, journalists, and ordinary citizens who attempted to organize or participate in political events, rallies, or protests. According to human rights group reports, on February 27-28, police detained more than 1,000 persons for participating in unsanctioned demonstrations or other protest-related activity in response to the February referendum. Police filed civil charges for participating in unauthorized mass events against most participants. These administrative charges typically resulted in fines, short-term jail sentences up to 30 days, or both.

Security forces physically and psychologically abused individuals while breaking up events, while individuals were in detention vehicles, and once protesters were in detention facilities (see section 1.c.). No investigations were conducted into complaints of human rights abuses by police for extreme use of force.

In many cases, courts sentenced participants in peaceful protests to long prison terms on criminal charges, as authorities often claimed protesters had been violent or threatened public order.

For example, on May 4, a district court in Brest sentenced a group of 11 individuals to up to three years of house arrest or probation for allegedly “endangering road traffic safety” and participating in an unauthorized mass event in 2020 in Brest where they peacefully protested by singing songs and circle dancing. As of September, the total number of convictions in the case reached at least 127 individuals since trials began in the spring of 2021. Defendants were sentenced to up to five-and-one-half years in prison.

Participants in demonstrations faced retaliation at state-run places of education or employment. According to a Ministry of Education directive, educational institutions may expel students who engage in antigovernment or unsanctioned political activity and must ensure the proper ideological education of students. School officials, however, often cited poor academic performance or absence from classes as the official reason for expulsions. According to human rights organizations, at least 20 students were reportedly expelled throughout the year due to their political views.

## **Freedom of Association**

The law and the constitution provide for the freedom of association; however, the government generally allowed only loyal and progovernment organizations to exercise this right. Following the 2020 presidential election and the prodemocracy movement that ensued, authorities forcibly closed, banned, or labelled “extremist” the vast majority of NGOs and civil society organizations, and all independent labor unions were ordered to close. Other NGOs and civil society organizations self-closed due to persistent intimidation and harassment by authorities. Authorities accelerated this practice after Lukashenka made additional directives

curtailing free association in July 2021. As of September, authorities disbanded more than 950 civil society and nongovernmental organizations through legal deregistration mechanisms, such as court proceedings. Lukashenka's 2021 decree covers all types of independent civil society organizations, including human rights organizations, sports associations, media outlets, environmental organizations, religious groups, groups working to support persons with disabilities, and organizations working to counter trafficking in persons. For example, on October 25, the Minsk city court shut down the charitable NGO Viartanne (Return), which worked to promote Belarusian culture, education, science, and reconstruct and renovate historic sites. On November 4, police detained a Viartanne activist Siarhei Makarevich and searched his residence. On October 27, police also detained three individuals – Yuras Meliashkevich, Dzmitry Karabach, and Volha Baltrukevich – who were working on a restoration project under the NGO, charging them with tax evasion. While two remained in pretrial detention, Baltrukevich was released three days after the detention. All of the organization's paperwork and computer equipment were seized.

All NGOs, political parties, and trade unions must receive Ministry of Justice approval to be registered. A government commission reviews all registration applications and bases its decisions largely on political and ideological compatibility with official government views and practices.

Actual registration procedures require applicants to provide the names of founders along with a physical address in a nonresidential building for an office, which observers considered a difficult burden in view of the tight financial circumstances of most NGOs as well as individual property owners' concerns that renting space to NGOs would invite government harassment. Authorities denied registration to organizations unable to rent or afford office space, those located in residential addresses, or organizations accused of operating illegally. On January 4, the government amended the criminal code to criminalize activities conducted on behalf of unregistered groups, which are punishable by up to a two-year imprisonment.

The law on public associations prohibits NGOs from keeping funds for local activities at foreign financial institutions. Only registered NGOs may legally accept foreign grants and technical aid and only for a limited set of approved

activities. NGOs must receive approval from the Interdepartmental Commission on Foreign Grant Aid before they may accept funds or register grants that fall outside a list of approved aid categories. Authorities further divided the aid usage into tax-exempt and taxable categories, the latter of which require a registration fee equal to 0.5 percent of the taxable aid. According to the government, penalties exist for the usage of unauthorized or undeclared aid by primary or secondary aid beneficiaries and allows authorities to terminate aid funding.

While the law stipulates authorities may close an NGO after issuing one warning that it violated the law, in practice the government no longer gave a single warning. The law allows authorities to close an NGO for accepting what they considered illegal forms of foreign assistance and permits the Ministry of Justice to monitor any NGO activity and review all NGO documents. NGOs also must submit detailed reports annually to the ministry regarding their activities, office locations, officers, and total number of members (see section 5).

Authorities harassed, intimidated, and obstructed independent civil society organizations. During the year, authorities confiscated computers and other equipment and damaged private property while breaking into homes of civil society activists, human rights defenders, and individuals associated with political cases. For example, on March 23, police raided the residence of Zmitser and Nasta Dashkeviches, democratic activists and former leaders of the opposition youth group Malady Front, and detained them. Authorities confiscated their computer equipment during the raid. While Nasta Dashkevich, who was pregnant at the time, was released on the same day to be with the couple's three other children, her spouse was detained for 15 days for purportedly disseminating extremist materials, and both were later charged with producing opposition white-red-white flags and participating in the August 2020 protests. On July 14, a Minsk district court sentenced Zmitser and Nasta on charges of participating in action grossly violating public order to 18 months in prison and to three years of house arrest, respectively. According to human rights observers, both refused to testify in court.

Authorities harassed, intimidated, and imprisoned members of the Coordination Council, comprising civil society and opposition leaders whose goal is to work toward a peaceful solution of the political crisis and facilitate a democratic transition. As of September, two Coordination Council Presidium members,

Maksim Znak and Maria Kalesnikava, remained imprisoned due to their exercise of freedoms of expression, assembly, and association (see section 1.e., Political Prisoners and Detainees). After its formation in 2020, the core group had approximately 70 members (seven of whom were elected to form the presidium), which later grew to thousands of members, most of whom were forced to leave the country. Authorities also targeted an informal group of civil society and political activists called Shod, which organized online after the 2020 elections. After multiple searches, detentions, and threats, the group dissolved and authorities detained one of its leaders, Uladzimir Matskevich, a prominent philosopher, in August 2021. The Minsk regional court convicted him on June 24 on charges of establishing an “extremist” group, slandering the president, and organizing activities that grossly violated public order and sentenced him to five years in prison.

### **c. Freedom of Religion**

See the Department of State’s *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

### **d. Freedom of Movement and the Right to Leave the Country**

The law generally provides for freedom of internal movement, foreign travel, emigration, and repatriation, but the government at times restricted the right of citizens, particularly former political prisoners, to foreign travel. Following the 2020 presidential election, the government increased restrictions on the ability of citizens to return home from abroad without the fear of being prosecuted.

**In-country Movement:** The law requires persons who travel to areas within 15 miles of the border (aside from authorized crossing points) to obtain an entrance pass.

**Foreign Travel:** Citizens broadly have the right to leave the country without arbitrary restrictions. The government’s database of persons banned from traveling abroad, however, contained the names of individuals who possessed state secrets, faced criminal prosecution or civil suits, or had outstanding financial obligations. The Ministry of Internal Affairs and security agencies, border and customs

services, and financial investigation departments have a right to place persons on “preventive” surveillance lists. Individuals could submit inquiries on the Interior Ministry’s website on whether they were banned from foreign travel, and for those citizens outside of the country, diplomatic missions provided such information upon request.

The Ministry of Internal Affairs is also required to track citizens working abroad, and employment agencies must report individuals who do not return from abroad as scheduled.

**Exile:** The law does not allow forced exile, but authorities continued the practice of forcibly exiling members of the democratic opposition, journalists, civil society activists, and others who dissented, with tacit or explicit understanding they would be imprisoned if they return to the country. There were reports that security forces continued to threaten some citizens who dissented against the government with bodily harm, prosecution, and lengthy prison sentences, if they did not leave the country, particularly after the August 2020 election. In an interview after being pardoned and released on September 19, former political prisoner and Radio Liberty journalist Aleh Hruzdilovich said his agreement to leave the country was a precondition for his release from jail (see section 1.e., Amnesty).

Most individuals who were forced to leave the country since the crackdown began in 2020 remained in forced exile during the year, including presidential hopeful and opposition leader Svyatlana Tsikhanouskaya and other democratic opposition leaders, independent journalists, activists, and leaders of human rights and civil society organizations.

**Citizenship:** The law permits stripping of citizenship for naturalized citizens 18 years old and older for participating in “extremist” activities or inflicting serious damage to the interests of the country, charges often used by authorities in politically motivated cases. The provision does not apply to citizens by birth.

## **e. Protection of Refugees**

The government provided limited cooperation with the Office of the UN High Commissioner for Refugees (UNHCR), International Organization for Migration, and other humanitarian organizations in providing protection and assistance to

refugees, returning refugees, or asylum seekers, as well as other persons of concern. Authorities either did not approve or delayed approval, however, of requests made by UNHCR to provide assistance to irregular migrants in the country, including those located near the country's borders with the EU.

**Access to Asylum:** The law provides for granting asylum or refugee status and complementary and temporary protection to foreign citizens and stateless persons, with some exceptions. The government has established a process for determining refugee status and a system for providing protection to refugees. The law provides for protection against refoulement granted to foreigners who are denied refugee status or temporary protection but are unable to return to their countries of origin.

Normally all foreigners except Russians have the right to apply for asylum. According to the terms of the Union Treaty with Russia, Russian citizens may settle and obtain residence permits in the country. As of September 1, however, the government approved in an exceptional case asylum for one Russian citizen – the family member of Ukrainian refugees – and gave complementary protection to three more, also members of families of Ukrainian refugees.

**Refoulement:** There were no known reports the government expelled or returned legitimate asylum seekers or refugees to countries where they were likely to face abuse during the year. This is distinct, however, from the victims of the irregular migration crisis, manufactured by the regime, in which authorities attracted and facilitated migrants seeking to enter the EU from Belarusian territory.

In November, Afghan refugee Nagira Khashimi, who had lived in Belarus for 24 years, described to independent media his experience being deported to Iran after completing nine years in prison on drug trafficking charges. Khashimi reported he was released in the fall of 2021 and rearrested three months later in Belarus. Before his deportation to Iran, he spent nine months in squalid conditions at immigration holding facilities.

**Abuse of Migrants and Refugees:** During the irregular migrant crisis, there were reports security services beat migrants and forced them to remain at the border to attempt additional border crossings when they failed to enter the EU. On June 7, Human Rights Watch (HRW) published a report on violence against migrants at

the country's border with Poland. The report featured interviews conducted in March to May with nine Middle Eastern migrants and asylum seekers, including seven in Belarus. HRW reported that migrants "gave harrowing accounts of violence, death, rape, extortion, theft, and restrictions on freedom of movement by Belarusian border guards." For example, on March 9, Belarusian border guards took a group of four migrants to the border with Lithuania and forced them to stand in water and swim to the other side of the river. One migrant reportedly drowned and another one disappeared. According to Latvian border guards, on December 20, a migrant from Afghanistan who was transported across the border by Belarusian authorities died due to hypothermia and frostbite. Migrants also reported inhuman living conditions and incidents of rape and sexual assault at the Bruzgi migrant holding facility between November 2021 and March.

From May 2021 through March, media reports indicated that authorities purposefully orchestrated irregular migration to Belarus from countries such as Iraq, the Democratic Republic of Congo, Cameroon, Syria, and Afghanistan, often through state-owned or state-affiliated travel agencies, with the aim of facilitating these individuals' onward travel overland to cross irregularly into the EU. Once the irregular migrants reached the country, authorities often organized or facilitated their travel to the borders of the neighboring countries of Latvia, Lithuania, and Poland and encouraged, and in many instances forced, the migrants to attempt irregular border crossing. Some of these irregular migrants subsequently applied for protection in Belarus, but most reportedly left before a decision was taken in their cases.

In some cases, authorities forced irregular migrants to choose between deportation or additional attempts, often under dangerous conditions, to cross irregularly into the EU after initial crossings failed. Irregular migrants interviewed by media reported only some left the country voluntarily, and many were instead detained in rented apartments or left on the street, then taken to the Minsk airport, and deported against their will.

**Freedom of Movement:** According to the June 7 HRW report, in some cases authorities confined migrants and asylum seekers who entered the country through state-affiliated travel agencies as part of the state-orchestrated migrant smuggling operation to "collection sites" – open-air locations without tents, shelters, or

sanitation – near the border with Poland, Lithuania, and Latvia. This included the Bruzgi logistics center, which was converted into a shelter for migrants starting in November 2021 and continued to operate until March. Migrants and asylum seekers reported to HRW that authorities beat them if they attempted to leave the sites, where they were denied food and water and the ability to make fires. One migrant told the HRW that the shelter was overcrowded, cold, and lacked adequate health and sanitation facilities for the number of persons held there, including adequate hygienic measures to prevent the spread of COVID-19. The shelter had only eight latrines, was not separated by gender, and had no shower facilities. Migrants slept on wood pallets on a cement floor, and guards gave them “cookies” once a day, forcing them to purchase other food at a food truck located on the compound. Guards also extorted money for charging cell phones, according to the report.

Aside from the state-sponsored migrant crisis, asylum seekers have freedom of movement within the country protected by law, but they must reside in the region where they filed their applications for refugee status and in a place known to authorities while their applications are being considered, including during appeals. Authorities reportedly often encouraged asylum seekers to settle in rural areas; however, the majority settled in cities and towns. Change of residence was possible with a notification to authorities. Authorities issue registered asylum seekers certificates that serve as documents to confirm their status as asylum seekers and identity and protect them from expulsion. By law, they must also register with local authorities at their place of residence.

**Durable Solutions:** Naturalization of refugees was possible after seven years of permanent residence, as in the case of other categories of foreign residents. As of October, Lukashenka granted expedited citizenship to at least 700 Ukrainian refugees since the beginning of the Russian invasion of Ukraine on February 24.

**Temporary Protection:** In isolated cases, the government provided temporary protection (for up to one year) to individuals who did not qualify as refugees. There was no publicly available data for the number of temporary protected cases in 2022.

## **f. Status and Treatment of Internally Displaced Persons**

Not applicable.

## **g. Stateless Persons**

As of June 30, the Ministry of Internal Affairs and UNHCR listed 5,626 stateless persons in the country. According to UNHCR, all had either temporary or permanent residence permits.

Permanent-resident stateless persons were treated comparably to citizens in terms of access to employment, except for a limited number of positions in the public sector and law enforcement bodies that were available only to citizens. There were reports that stateless persons occasionally faced discrimination in employment, since authorities often encouraged them to settle in rural areas where the range of employment opportunities was limited. According to UNHCR, stateless persons could freely change their region of residence.

There is a path to citizenship for the stateless population. The main requirement is at least seven years' permanent residence. Authorities have a procedure for expedited naturalization but mostly for individuals born or permanently residing in the country prior to the collapse of the Soviet Union, ethnic Belarusians, their spouses, and descendants. If a child is born into a family of stateless persons permanently residing in the country, the child is entitled to citizenship.

The country contributes to de facto statelessness through the administrative practice of denying consular services to exiled Belarusian opposition figures, including passports, travel documents, and birth reports. Many exiled opposition figures must travel using noncitizen third country travel documents.

## **Section 3. Freedom to Participate in the Political Process**

The law nominally provides citizens the ability to choose their government in free and fair periodic elections held by secret ballot and based on universal and equal suffrage. In practice, however, the government consistently and thoroughly denied citizens this ability by failing to conduct elections according to international standards; falsifying election results; jailing or forcibly exiling genuine opposition

candidates; and detaining, imprisoning, exiling, or threatening those individuals who sought free and fair elections.

After his election in 1994 to a four-year term as the country's first president, Alyaksandr Lukashenka steadily consolidated power in the executive branch to dominate all branches of government, effectively ending any separation of powers among the branches. Flawed referendums in 1996, 2004, and on February 27 amended the constitution to broaden his powers and further extend his term in office. Subsequent elections, including the August 2020 presidential election, denied citizens the right to exercise their will in an honest and transparent process, including denying freedoms of expression (including for members of the media), peaceful assembly, association, and the ability to seek, receive, and impart information and campaign.

## **Elections and Political Participation**

**Recent Elections:** According to independent local observation groups, the 2020 presidential election was marred by numerous abuses, the use of administrative resources in favor of the incumbent, the absence of impartial election commissions, unequal access to media, coercion of voters to participate in early voting, nontransparent vote tabulation, and restrictions on independent observers. Irregularities identified by NGOs and independent observers raised significant doubts regarding authorities' claims that Lukashenka received 80 percent of votes. Repression against those who engaged in signature gathering events to support other presidential candidates and those who engaged in peaceful protests surrounding the 2020 election continued during the year.

Government pressure and retaliation against opposition presidential candidates and campaigns, participants in signature gathering events, and participants in postelection peaceful assemblies continued through the year. This included forced exile, prosecution in absentia, arbitrary arrests and detention, security force violence, lengthy prison sentences, and other forms of intimidation and harassment. Prior to the 2020 presidential election, authorities restricted the ability of challengers to register as candidates, restricted candidates from campaigning, pressured and detained presidential campaign teams, pressured citizens who showed support for opposition candidates, and detained members of the press to

limit opposition coverage.

The Organization for Security and Cooperation in Europe (OSCE) rapporteur's *Report under the Moscow Mechanism on Alleged Human Rights Violations* related to the 2020 presidential election, released in November 2020, detailed a wide range of allegations of electoral irregularities concerning: “1) non-timely invitation of international observers, 2) shortcomings in the appointments of election management bodies on all levels, 3) restrictions of the right to stand (for office), 4) limitations in election dispute resolution, 5) overall disregard for freedom of assembly, 6) unequal playing field for candidates, including non-transparency in campaign financing, 7) non-transparent early voting process, 8) overcrowding of polling stations, 9) missing checks and balances, lack of possibility for verifying the electoral results, and 10) inaccessibility of all steps of the electoral process for observation, inhibiting the effective assessment of the elections.” The report stated that, “in view of the evident shortcomings of the presidential elections which did not meet the basic requirements established on the basis of previous election monitoring and the observations by citizens, the presidential election has to be evaluated as falling short of fulfilling the country’s international commitments regarding elections. Allegations that the presidential elections were not transparent, free or fair were found confirmed.”

Authorities held a constitutional referendum on February 27, in which they reported that voters supported amendments to the constitution, including to remove the country’s nonnuclear status and a number of amendments NGOs and civil society argued would strengthen Lukashenka’s grip on power.

The Human Rights Defenders for Fair Elections campaign, comprising election observers from NGOs including the human rights group Vyasna and Belarusian Helsinki Committee, assessed that the February 27 constitutional referendum also failed to meet international standards. Human Rights Defenders for Fair Elections issued a statement that due to the regime’s repression and the high risk of arrest, they and other local independent NGOs would not organize groups of independent observers to monitor the referendum.

Observers asserted that discussions about constitutional reform were nontransparent, noninclusive, and took place amidst continued political repression.

The Human Rights Defenders for Fair Elections campaign noted “a tense international situation [originally] caused by speculations of a possible armed conflict and [later] the Russian invasion of Ukraine, as well as Russian-Belarusian military exercises,” as further evidence that the conduct of the referendum could not be considered valid. Furthermore, authorities failed to discuss potential reforms with members of the opposition or independent civil society and continued to repress dissidents. Authorities limited the presence of observers for the referendum to three per polling station during the February 22-26 early voting and to five per polling station on the main voting day of February 27.

On February 27, approximately 1,500 persons gathered in Minsk (along with more than 40 other cities) to peacefully protest the authenticity of the referendum results as reported by authorities, and to simultaneously protest the government’s involvement in Russia’s war in Ukraine. In Minsk, authorities detained more 1,000 persons (see section 2.b., Freedom of Peaceful Assembly).

**Political Parties and Political Participation:** Authorities routinely impeded the activities of opposition political parties and activists. Some opposition parties lacked legal status because authorities refused to register them, and the government routinely prevented individuals from organizing, running for election, seeking votes, and publicizing independent or opposition views. As of year’s end, the government continued to allow eight pro-Lukashenka parties and seven opposition parties, largely inactive due to political prosecution and reprisals, to operate as officially registered parties, yet no candidates from the independent opposition parties were elected to political office in the 2019 elections. During the year, the government used its monopoly on broadcast media to disparage the opposition, promote pro-Lukashenka parties, and restrict the ability of opposition political parties to publicize their views.

Violating the law on mass events and participating in unauthorized demonstrations could result in fines and arrests of opposition political parties’ leaders and political activists (see sections 2.a. and 2.b.). Authorities at times also suspended parties for six months after a single warning and dissolved them after a second. The law also prohibits political parties from receiving support from abroad and requires all political groups and coalitions to register with the Ministry of Justice.

Authorities harassed and imprisoned members of opposition political parties during the year. On November 3, the leader of the opposition United Civic Party, Mikalay Kazlou, was sentenced to a 30-month prison term and two associates of the party were sentenced to 18 months and one year, respectively. All three were arrested in July and were imprisoned for their participation in peaceful protest following the 2020 presidential election. Three other members of the United Civic Party – Andrus Asmalouski, Dziyana Charnushina, and Artur Smalyakou – received prison sentences on October 31 of two to three years on the same charges for their participation in the election-related protests.

**Participation of Women and Members of Minority Groups:** No laws limit participation of women or members of minority groups in the political process, but the government’s tacit endorsement of traditional Orthodox gender roles often ran counter to women’s efforts to achieve positions of authority. As of September, of the country’s 30-member Council of Ministers, only one minister was a woman. Since 2020, women increasingly joined the opposition as leaders, served as vocal members of the opposition, and participated in protests more broadly compared with previous elections, although historically marginalized women, especially impoverished rural and older women, remained the most politically disengaged groups.

## **Section 4. Corruption and Lack of Transparency in Government**

The law provides criminal penalties for official corruption, and the government appeared to prosecute regularly officials alleged to be corrupt. The World Bank’s Worldwide Governance Indicators, however, reflected that corruption was a serious problem in the country. There were no comprehensive reports on corruption, since the government did not allow human rights groups to monitor, limiting access to any credible information regarding the scale of official corruption. In the past, journalists investigating official corruption, notably in the health-care industry, were jailed.

**Corruption:** According to official sources, most corruption cases involved soliciting and accepting bribes, fraud, and abuse of power, although anecdotal

evidence indicated such corruption usually did not occur as part of day-to-day interaction between citizens and minor state officials. According to the Supreme Court, the number of prosecuted corruption cases was on the rise, and in January-June, 336 were convicted, of whom 112 were imprisoned, compared with 259 persons convicted in 2021. Generally, corruption charges were not used for politically motivated purposes, and while it was possible corruption prosecutions were selective, independent observers and human rights groups assessed the Supreme Court figures were accurate.

On December 25, General Prosecutor Andrei Shved told the press that the government investigated more than 1,560 corruption-related cases during the year, which was 40 percent more than in 2021.

There were reports that individuals connected to Lukashenka received preferential treatment from his regime in the form of monopolies, tax breaks, favorable contracts, and other mechanisms, often codified by presidential decrees signed by Lukashenka himself. In exchange, they reportedly provided funds to Lukashenka and his inner circle, financed Lukashenka's personal projects, and supported the regime publicly.

In November, the Belarusian Investigative Center alleged Lukashenka's son Dmitry and his family were involved in a scam worth more than \$200 million, in which the state monopoly dealer BelAZ Trading House controlled by Dmitry sold Russian machinery at inflated prices to private companies tied to Dmitry and his cronies.

The absence of independent judicial and law enforcement systems, the lack of separation of powers, and a virtually eradicated independent press made it essentially impossible to gauge the scale of corruption or combat it effectively.

The most corrupt sectors were state administration (including Lukashenka himself) and procurement, the industrial sector, the construction industry, agriculture, health care, and education.

On November 9, independent media reported that police detained First Deputy Mayor of Minsk Dzmitry Mikulyonak on corruption-related charges, which dated back to him being the Minister of Architecture and Construction. On December 8,

the Minsk city court started to hear a criminal case against former Minister of Forestry Vitaly Drozha, who was detained at his office in April. He was charged with accepting large bribes. As in similar cases, the government did not confirm their arrests.

## **Section 5. Governmental Posture Towards International and Nongovernmental Investigation of Alleged Abuses of Human Rights**

As of September, authorities disbanded more than 950 civil society and NGOs. Authorities also arrested human rights defenders and launched legal proceedings to liquidate NGOs on various politically motivated charges to prevent them from expressing criticism of the government, recording authorities' human rights abuses, and assisting victims. Following the 2020 postelection protests and subsequent decrees of July 2021, the regime severely constrained or completely curtailed the actions of almost all independent NGOs (see section 2.b., Freedom of Association). Because authorities deregistered most independent civil society organizations in the country, hundreds of activists and human rights defenders remained in forced exile or in detention, including members of prominent human rights and civil society NGOs, such as Vyasna, Belarusian Helsinki Committee, and the Belarusian Association of Journalists.

The regime continued to arrest, harass, and detain human rights activists as part of its crackdown and campaign of intimidation against independent civil society organizations and activists. For example, Human Constanta activist Nasta Loika was arrested on September 6 and served a 30-day sentence. She was subsequently recharged with minor hooliganism on October 28 and had her detention extended several times thereafter, most recently on December 14. Police searched her apartment and confiscated her computer equipment. At her trial held online, Loika said police bludgeoned her with a stun gun, forced her to spend eight hours at the station's yard without warm clothes on, and denied her food, hygiene products, and medical assistance. She was arrested again on December 14, again on charges of minor hooliganism. On December 20, the presidential daily news *SB.Belarus Segodnia* (Belarus Today) accused Loika of spying, and she remained in pretrial detention as of year's end.

On November 23-28, security forces systematically targeted, detained, searched, and interrogated at least 13 activists of the For Freedom NGO, which was deregistered by authorities in November 2021. The officers questioned the activists about whether they kept contact with the leader of the NGO, Yuri Hubarevich, who left the country. Most of the activists were asked to sign a document stating that they would not “engage in high treason.”

On November 26, the Investigative Committee opened a criminal case against members of the human rights organization Vyasna for allegedly smuggling \$290,000 into the country. The case was transferred to the prosecutor to be referred to the court.

In February 2021, police searched offices and private residences of Vyasna advocates and Belarusian Association of Journalists members in the framework of a criminal case on charges of participating in activities grossly violating public order. In July 2021, authorities detained Vyasna leader Ales Byalyatski, deputy chair Valyantsin Stephanovich, and leading advocate Uladzimir Labkovich and subsequently charged them with tax evasion, smuggling of approximately 201,000 euros and \$54,000 in foreign currency as well as financing protests. In September, investigators dropped tax evasion charges. At least seven other Vyasna members were also detained but released a few days later pending criminal charges. As of November, seven Vyasna members remained in detention. Byalyatski received the 2022 Nobel Peace Prize while in detention.

Authorities did not engage in human rights monitoring with international human rights NGOs or other human rights officials, and the majority of international NGO representatives were refused entry to the country in their official capacity. Authorities routinely ignored local and international groups’ recommendations on improving human rights in the country, as well as requests to stop harassing the human rights community.

**Retribution against Human Rights Defenders (HRDs):** The regime continued to arrest, imprison, and otherwise harass, intimidate, and detain human rights activists as part of its crackdown against independent civil society organizations and activists. For example, on September 6, Vyasna human rights defenders Marfa Rabkova and Andrei Chapiuk were sentenced to 15 years and six years of

imprisonment, respectively, in connection to their work to promote human rights. Rabkova and Chapiuk were both ordered to pay fines of 22,400 rubles (\$8,800) and 18,000 rubles (\$6,300), respectively. Vyasna asserted that Rabkova's detention and charges were a politically motivated response to her efforts to train short-term election observers and her work in documenting severe abuses of detainees.

**The United Nations or Other International Bodies:** Since the UN Human Rights Council's 2018 appointment of Anais Marin as special rapporteur on the situation of human rights in Belarus, authorities denied her entry to the country. The government continued to speak against "the politicized and senseless" mandate of the rapporteur and refused to recognize the mandate. In 2020, 17 OSCE participating states invoked the Moscow Mechanism to establish an expert mission to examine and report on allegations of human rights violations and abuses in connection with the 2020 presidential election. The country's authorities did not cooperate with the expert mission or allow it access to the country. In November 2021, 35 OSCE participating states invoked the OSCE Vienna Mechanism under which the country must answer a series of questions on the implementation of its human rights commitments as an OSCE member. The French ambassador to the OSCE, on behalf of the 35 OSCE participating states, invoking the mechanism, noted that the Belarus OSCE delegation's response "did not indicate a material change in the approach of the Belarusian authorities" regarding concerns raised about serious human rights violations and abuses in the country.

On October 27, Lukashenka signed a law denouncing the country's participation in the Optional Protocol to the International Covenant on Civil and Political Rights, which entered into force on October 29.

**Government Human Rights Bodies:** The country does not have an ombudsman or other national human rights institution. A standing commission on human rights in the lower chamber of the National Assembly was largely nonoperational and ineffective.

## Section 6. Discrimination and Societal Abuses

### Women

**Rape and Domestic Violence:** The law criminalizes rape, regardless of gender, in general, but it does not include separate provisions on marital rape. The penalty for rape with aggravating factors is three to 15 years' imprisonment. According to NGOs, authorities often did not adequately consider spousal rape incidents and did not prosecute such cases unless they involved severe aggravating factors such as death or direct threats to survivors' lives. While sexual assault and rape continued to be significant problems, authorities generally prosecuted cases of nonspousal rape. For example, state media reported on October 28 that a court in Zhlobin convicted a man for raping his 15-year-old niece and sentenced him to 11 years in prison. He was previously convicted on similar charges, and the court also ordered him to alcohol rehabilitation. In a separate case, on May 6, the Brest regional court sentenced two men to five and 17 years' each for raping and killing a woman in Baranavichy in August 2021.

Domestic violence was a significant problem, and authorities did not take effective measures to prevent it or address its root causes, such as substance abuse, unemployment, and other economic and social causes. A January 6 law expanded the definition of "domestic violence" to include former spouses, close relatives, persons who have a common child, and common-law spouses running a household together, causing physical or mental suffering in relation to each other in deliberately unlawful or immoral actions of physical, psychological, or sexual nature. Additionally, it included provisions for assisting aggressors to correct their behavior and for creating a nation-wide database of domestic violence cases.

On July 11, the government adopted regulations to establish regional and district interagency councils on providing aid to domestic violence survivors and streamlined mechanisms for providing comprehensive prevention efforts, across-the-board assistance to survivors, and best practices and information exchange between agencies in charge of prevention and aiding survivors. The regulations also introduced unified forms for issuing warnings to aggressors, listing them in prevention registrars, issuing protective orders, and consenting to the disclosure of information about domestic violence incidents. There were no reports on the

effectiveness of these measures. Authorities continued to issue protective orders mandating the separation of survivors and abusers and provided temporary accommodations during the duration of the orders. As of April, the government also operated 136 crisis rooms that provided limited shelter and psychological and medical assistance to survivors. According to a senior Labor and Social Welfare official, crisis rooms assisted 142 victims of domestic violence during the first six months of the year. In January-October, the Interior Ministry registered approximately 70,000 incidents of domestic violence, of which 2,500 cases were investigated as criminal and 15,000 as civil. As of November 1, aggressors killed 69 victims of domestic violence and inflicted severe bodily damages to 126 individuals. In January-October, the government issued approximately 13,000 protective orders.

The law establishes a separate definition of domestic violence and provides for implementation of protective orders, which are from three to 30 days in duration and can be extended for the same period. The law requires authorities to provide survivors and abusers with temporary accommodation until the protective orders expire. In addition, the law prescribes a substantial fine or detention for up to 15 days for violating protective orders, battery, intended infliction of pain, and psychological or physical suffering committed against a close family member.

In some severe cases, prosecutors ordered investigations of domestic violence without survivors' prior consent. For example, in July, the Polatsk district prosecutor's office opened a criminal case against a 36-year-old resident for alcohol abuse and torture of his mother, who was afraid to report her son to the police. He was previously convicted on charges of causing severe bodily damage to his father, who died from his injuries.

On July 12, the Interior Ministry approved risk-assessment guidance for domestic violence, including factors such as recurrence and potential grave consequences. The guidance put police officers in charge of assessments in the framework of civil and criminal cases as well as conducting preventive measures. The guidance requires police to question the survivor and check the aggressor's background and criminal records. Based on the risk assessment results, police officers in the ministry may decide whether there is a need to extend the protective order. According to the instructions, a high risk of recurrence should be indicated when

the survivor has signs of beatings or damage to clothes, furniture, or other household items. Other signs of high risk include continued aggressive behavior, intoxication, or mental disabilities of the aggressor. According to women's rights advocates, who welcomed adoption of the new regulations, protective orders and crisis rooms remained ineffective and provided limited protection of the rights of survivors. Efforts to prosecute offenders and ensure legal and other remedies to correct their behavior were also lacking. NGO experts continued to note the lack of state-supported designated shelters and specialists, such as social workers and psychologists who work with survivors, children, and aggressors.

According to a senior Ministry of Internal Affairs official, as of April, officers were monitoring more than 8,000 individuals who had committed domestic violence-related crimes, including more than 13,000 administrative cases filed from January to March. The official stated the number of severe crimes related to domestic violence increased from 47 to 52 cases of severe bodily injuries in January through March, compared with the same period in 2021, and the number of persons killed by their spouse went up from 22 to 23. The Ministries of Internal Affairs, Labor and Social Protection, and Health Care as well as NGOs continued the "Home without Violence" campaign, held on April 4-8. The campaign was covered by state media, and police reportedly inspected residences of families with a record of domestic violence or that were in vulnerable conditions and held "preventive" talks with them.

As part of the crackdown against the prodemocracy movement and the forced closures of NGOs and civil society organizations (see section 2.b., Freedom of Association), authorities continued to forcibly close NGOs working on domestic violence and harassed, intimidated, and arrested their staff. For example, on March 9, authorities closed the NGO Radislava, which maintained the country's only remaining 24/7 hotline for domestic violence survivors. Prior to its closure, Radislava also operated a private shelter, advocated for survivors' rights, and assisted women and their children with medical care, legal aid, employment, social reintegration, and psychological therapy. On May 6, a Minsk district court sentenced one of Radislava's coordinators and leading women's rights advocate, Volha Harbunova, detained in November 2021, to three years in a probation facility. She was charged with organizing mass riots and protests in 2020.

**Sexual Harassment:** Sexual harassment reportedly was widespread, but no specific laws, other than those against physical assault, address the problem. Survivors of sexual harassment did not have access to criminal or civil remedies for sexual harassment that occurred in the workplace.

**Reproductive Rights:** In prior years, women with disabilities, especially those who were institutionalized, as well as pregnant women whose children were diagnosed with potential disabilities in utero, reported that some doctors insisted they terminate their pregnancies. While there were no indications that the practice had changed, no specific cases were highlighted during the year by press or NGOs.

Institutionalized individuals with disabilities had no political or civil rights, and courts recognized the directors of these institutions as the legal guardians of these individuals. Institutionalized individuals were not able to provide informed consent to medical treatment affecting their reproductive health, including for sterilization, due to mental or other disabilities.

Although comprehensive education on reproductive health or pregnancy was not provided in schools, access to information on contraception was widely available. Government policy does not bar access to contraception, but some groups may oppose it on religious grounds. While there were no legal or cultural barriers to skilled health attendance during pregnancy and childbirth and skilled postpartum care was widely available, there were fewer professionals with the skills to assist with difficult pregnancies outside of Minsk. Authorities provided access to emergency health care, including emergency contraception for survivors of sexual violence.

**Discrimination:** The law provides for equal treatment of women with regard to religious, personal status, and nationality laws, as well as laws related to labor, property, inheritance, employment, access to credit, and owning or managing businesses or property. Women generally did not experience discrimination in such areas as marriage, divorce, child custody, education, the judicial process and other institutions, and in housing. Authorities did not enforce all aspects of the law effectively.

Although women have the same legal status as men, they experienced

discrimination, in particular ageism, in employment, and in access to economic resources, including in access to credit, as well as discrimination in the workplace. There were no significant barriers or discrimination for women based in different locations or who were members of specific racial, ethnic, or minority groups.

## **Systemic Racial or Ethnic Violence and Discrimination**

The law on national minorities prohibits restriction of the rights and freedoms of individuals based on their belonging to a national minority and bans forced assimilation. By law, an individual cannot be forced to define and indicate their nationality or deny it, and the state guarantees equal political, economic, and social rights and freedoms of individuals considered to be national minorities, including the rights to use their native language, to participate in and run for election, to establish mass media and receive and store information in their native language, to profess any religion or participate in religious rituals in their native language, to preserve historic and cultural heritage, and to establish public associations, among other rights. The law bans operations of any public associations of national minorities that are deemed connected to or part of a political organization of a foreign state. While it also prohibits any actions to discriminate on national grounds, including incitement of interethnic hatred, the law was applied arbitrarily, ineffectively, and in some cases on politically motivated grounds. There are no separate laws that provide for the protection of members of racial or ethnic minority groups against violence and discrimination. Governmental and societal discrimination against Roma and Polish minority groups persisted. According to leaders of the Roma communities, security and law enforcement agencies continued arbitrarily to detain, investigate, profile, and harass Roma, including by forcing fingerprinting, mistreating them in detention, and subjecting them to ethnic insults.

The Roma community continued to experience marginalization, various forms of discrimination, high unemployment, low levels of education, and lack of access to social services. Roma generally held citizenship, but many lacked official identity documents and refused to obtain them.

Authorities harassed and jailed members of the independent and unregistered Union of Poles of Belarus. For example, on November 14, authorities raided the

apartments of Union of Poles Council Chairman Iryna Valyus and Vice President Renata Demenchuk. On the same day, the Prosecutor General's Office announced it had filed a lawsuit to shut down Clerigata LLC, which it accused of acting on behalf of the unregistered Union of Poles. Clerigata was also registered as a translations and travel agency.

Authorities in the western part of the country harassed the Polish minority, including through closing Polish schools and destroying sites of burials of Polish Armia Krajowa soldiers, portraying them as a Nazi group and collaborators. During the year local authorities in the Hrodna region also removed mass graves of Polish soldiers. Local Polish activists previously maintained these memorials, the majority of which were put up in the early 1990s. On September 13, the Supreme Court heard a lawsuit brought by local authorities and shut down the 30-year-old Polish culture and language center Polska Macierz Szkolna in Hrodna as part of a larger trend targeting the Polish minority. Prior to having its registration revoked, the center was one of the oldest Polish organizations in the country and one of the largest public Polish schools in the world. During the year the Polska Macierz Szkolna faced fines and additional taxes amounting to more than \$300,000.

## **Children**

**Birth Registration:** Citizenship is derived either by birth within the country or from one's parents. A child of a citizen is a citizen regardless of place of birth, even if one parent is not a citizen. Births were generally registered immediately.

**Education:** Education is free, compulsory, and universal through the secondary level up to the ninth grade inclusive or approximately age 16. There were no significant differences between boys and girls in enrollment, attendance or completion and no significant disputes involving disproportionate access of members of racial and ethnic minorities. Only a few schools provided education in the Belarusian language, one of the two national languages in the country along with the dominant Russian language.

The government obstructed some schools operating in minority languages. For example, as of August 12, authorities closed a Lithuanian-language school in the village of Pelesa in the Hrodna region, allegedly due to fire safety concerns. The

fire department reportedly required the school to install additional fire safety features, which would require the school to redesign its building. One other Lithuanian school in the region had to switch to local languages based on the amended education code enforcing such education in all school as of September 1.

**Child Abuse:** The law stipulates minors' rights to education, health care, personal integrity, and protection from exploitation and violence. The law provides for the inviolability of the child's person and protects the child from all types of exploitation, including sexual, physical, and psychological abuse; cruel or abusive treatment, humiliation, and sexual harassment (including by parents, guardians, caregivers, and relatives); involvement in criminal activities; use of alcoholic beverages; use of drugs, toxic or other intoxicating substances, and tobacco products; and coercion into prostitution, begging, vagrancy, participation in gambling, actions related to child pornography, and work that may harm physical, mental, or moral development.

Conviction of rape or sexual assault of a person known to be a minor is punishable by up to 15 years' imprisonment. Conviction of a person older than 18 for engaging in sexual acts with a person known to be younger than 16 is punishable by up to 10 years' imprisonment.

According to local human rights groups, domestic violence and abuse against children were common, and anecdotal evidence suggested that many parents admitted beating their children. Authorities, recognizing sexual abuse of children continued to be a problem, said they identified families in vulnerable conditions and generally intervened to prevent child abuse linked to domestic violence, providing foster care to children who could not remain with their immediate families while preventive work was underway. Although the government continued to prosecute child abusers, its efforts to address the causes of child abuse were inadequate, and it lacked effective capabilities to detect violence and refer survivors for proper assistance in a timely manner.

Independent experts continued to raise concerns over the government's inefficiency in executing certain protective measures absent assistance from international organizations and NGOs. For example, in May, state media reported authorities in the Minsk region prosecuted a case against a guardian who

physically and sexually abused his two minor adopted children between 2012 and 2021 and was charged with rape, child molestation, torture, and attempted murder. The guardian's spouse was separately charged with concealing crimes. According to the 2020 UNICEF report, *The Situation of Vulnerable Children and Adolescents in Belarus*, one in six minors ages 11 to 13 and one in four minors ages 14 to 17 in the country reported exposure to physical or psychological violence at home. Over half of children in special closed-type educational institutions (residential juvenile detention facilities that include education) and six in 10 boys from penitentiary institutions reported experiencing violence at home prior to their entering these institutions.

**Child, Early, and Forced Marriage:** The legal minimum age of marriage for both boys and girls is 18, although girls as young as 14 may marry with parental consent.

**Sexual Exploitation of Children:** The minimum age for consensual sex is 16. Sex trafficking of children was a problem, and authorities took some steps to address it. The law provides penalties of up to 13 years in prison for producing or distributing pornographic materials depicting a minor. Authorities generally enforced the law. Authorities claimed the law does not require a demonstration of force, fraud, or coercion to constitute a child sex-trafficking offense. Authorities considered child pornography and cyber-related methods such as sexting, grooming, and sextortion to be serious problems.

**Institutionalized Children:** There was no system for monitoring child abuse in orphanages or other specialized institutions. Authorities did not report any child-abuse incidents in institutions. There were allegations of abuse in foster families; the government opened or continued investigations into some of these cases.

According to a 2018 UNICEF study, more than two in five children at residential-care institutions were exposed to either physical, sexual, or psychological violence. Approximately one in four children participating in the survey reported exposure to physical violence at institutions. The children living in institutions appeared significantly more vulnerable compared with children living in families, and they had two to three times more exposure to violence than children from secondary schools. Children from special closed-type educational institutions and

penitentiary institutions reported greater exposure to violence both at home and in the institutions. The 2020 UNICEF study also showed that approximately 31 percent of boys in penitentiary institutions experienced one or several forms of physical violence and more than 33 percent reported being exposed to psychological violence.

As of January 2021, there were nine institutions for children with disabilities that held at least 1,300 minors. Institutions provided basic medical and social care to their clients. Although experts assessed the services as being of better quality than at adult institutions, these institutions had problems with proper diagnostics, education, and social reintegration as well as public accountability and transparency.

## **Antisemitism**

The Jewish community estimated approximately 30,000 Jews lived in the country.

There were no reports of violence against or harassment of Jewish persons, or of threats or attacks against community institutions. There were reports, however, of vandalism against the Jewish community. On May 3, the Babruisk Jewish community reported that unknown persons vandalized the ruins of a synagogue by spray painting a “Z” symbol, used to demonstrate support for Russia’s war against Ukraine. There were no reports of police identifying perpetrators.

Many memorials to victims of the Holocaust, built in Soviet times as well as more recently, did not distinguish Jewish victims from other victims of Nazi atrocities. The Jewish community continued to work with foreign donors and local authorities to erect monuments to commemorate Jewish victims specifically.

Holocaust distortion occurred. For example, the regime focused on the so-called genocide of the “Belarusian people,” rather than victims of the Holocaust in general, or Jewish victims in particular, in order to promote an anti-European narrative for political ends.

## **Trafficking in Persons**

See the Department of State’s *Trafficking in Persons Report* at

<https://www.state.gov/trafficking-in-persons-report/>.

## **Acts of Violence, Criminalization, and Other Abuses Based on Sexual Orientation, Gender Identity or Expression, or Sex Characteristics**

**Criminalization:** There are no laws that explicitly criminalize consensual same-sex sexual conduct. Laws against prostitution were commonly used to target the lesbian, gay, bisexual, transgender, queer, and intersex (LGBTQI+) community, however, especially in a common tactic in which police entrapped men on location-based apps used by men who have sex with men by agreeing to meet and then arresting them for alleged sex work. While less common, police also reportedly charged some persons with hooliganism when their clothing did not match the traditional conception of gender norms.

**Violence against LGBTQI+ Persons:** LGBTQI+ persons continued to experience discrimination, harassment, threats, and violence at the hands of authorities, according to numerous reports from human rights defenders. LGBTQI+ activists were among those who went into exile after facing increased harassment and risk of arrest from the regime during the year.

In some instances, when police perceived detained individuals as LGBTQI+ persons, they forced them to confess to crimes and to state a sexual orientation on camera, later posting the recording online. For example, in an October 19 video posted in one of the security services' Telegram channels, an individual was shown holding sex toys in his hands, and he said he engaged in extremist activities. The comment below read that he "belonged to the LGBTQI+ community in Mahilyou." Independent observers questioned the legality and plausibility of these videos and noted that authorities may have abused the persons to force them into making the statements. There were no reports authorities took action to investigate those complicit in violence and abuses against LGBTQI+ persons. Human rights advocates working with the LGBTQI+ community reported cases in which school and local authorities threatened to remove children from families with LGBTQI+ parents, claiming the children were in "vulnerable conditions."

**Discrimination:** There is no law that prohibits discrimination by state or nonstate

actors based on sexual orientation, gender identity or expression, or sex characteristics, and there is no legal recognition of same-sex marriage or any form of same-sex partnership. In February, the country adopted by referendum a constitutional amendment that specifies marriage is “a union between a woman and man.”

Societal discrimination against LGBTQI+ activists persisted with the tacit support of the government, which either failed to investigate crimes or did so without recognizing them as hate crimes, for which there is no law. One LGBTQI+ activist group (now in exile) maintained a crisis hotline and email box for the LGBTQI+ community and said it received two to three complaints per month. The group noted the most frequent complaint was targeted online activities, including harassment, extortion, outing or “doxxing,” and hate speech. Human rights groups noted the incidence of societal violence against LGBTQI+ individuals had decreased as authorities cracked down on groups that traditionally targeted them, such as far-right fascist groups and soccer hooligans.

**Availability of Legal Gender Recognition:** The government allowed transgender persons to update their name and gender marker on national identification documents, but these documents retained old identification numbers that include a digit indicating the individual’s sex assigned at birth. The process of changing one’s gender officially requires registering with a local state psychoneurological clinic, extensive medical examinations and testing, an evaluation by a 15-member commission, including psychologists and other doctors as well as officials from the Citizenship and Migration Department of the Interior Ministry, Justice Ministry, Defense Ministry, and health-care and education entities, among others. An existing marriage was a common impediment to a petitioner’s approval of official gender change, whereas petitioners with children were almost always denied. Transgender persons reportedly were refused jobs when potential employers noted the “discrepancy” between an applicant’s appearance and the gender marker in the identification number. In 2018, the government began to issue gender-neutral identification numbers; however, numbers issued prior to this date retained gender markers. Transgender persons were issued military identification that generally indicated they had “a severe mental illness.”

### **Involuntary or Coercive Medical or Psychological Practices Specifically**

**Targeting LGBTQI+ Individuals:** There were few reports of involuntary or coercive medical or psychological practices specifically targeting LGBTQI+ individuals. There were reports, however, of psychologists and psychiatrists who attempted “conversion therapy” on a private basis.

**Restrictions of Freedom of Expression, Association, or Peaceful Assembly:** Authorities did not specifically restrict freedom of expression, association, or peaceful assembly for LGBTQI+ persons; however, the LGBTQI+ community faced the same restrictions on freedom of assembly as the rest of society.

## **Persons with Disabilities**

Persons with disabilities could generally access social services, health services, public buildings, and transportation on an equal basis with others. The government, however, did not enforce such access effectively and failed to provide information and communication in accessible formats. There were minor steps to improve the accessibility to public infrastructure, however. For example, on September 1, the government reported the launch of new comprehensive standards for a barrier-free environment, expanding access to services for persons with various disabilities, ranging from banking and postal services to understanding product packaging and public transportation schedules.

The law discriminates against children and persons with disabilities, limiting their ability to access primary, secondary, and higher education depending on their degree of disability. A person’s degree of disability was determined by a commission of experts, but assessments were arbitrarily applied. For example, advocates cited cases of children with Down syndrome who were required to submit to reassessments of their “mental abilities” at predetermined ages and, following such assessments, were in some cases not allowed to continue their education in “integrated” classes. Children with disabilities attended school but completed secondary education at a significantly lower rate than other children and generally attended specialized schools meant only for children with disabilities. Opportunities for employment and occupational development remained limited for persons with disabilities. While authorities operated some enterprises that accommodated persons with certain disabilities, such as those with hearing or vision disabilities, many persons with disabilities opted to maintain their welfare

benefits, since salaries in jobs available to them were low or they had to undergo additional examinations to be approved for employment. According to a 2020 UNICEF study, 40 percent of families with children with disabilities faced poverty, and 60 percent of mothers and 15 percent of fathers of children with disabilities had to limit their job activities due to the need to care for their children. Separately, social norms were not supportive of the inclusion of young persons with disabilities, including those with HIV or mental-health issues, in education and employment with the general population.

The law mandates that transport, residences, and businesses be accessible to persons with disabilities, but few public areas were wheelchair accessible or accessible for persons with hearing and vision disabilities. Most persons with physical disabilities continued to be unable to leave their places of residence without assistance and stated their residences were not suitable to accommodate persons with physical disabilities. Independent observers reported that the government took minor steps to improve accessibility of public infrastructure. For example, newly constructed subway stations in Minsk were equipped with elevators accessible to wheelchair users.

Public transportation was free to persons with disabilities, but the majority of older subway stations in Minsk, as well as the bus system, were not accessible to wheelchair users. According to the Ministry of Labor and Social Welfare, only 18 percent of infrastructure in the country was fully accessible.

Persons with disabilities, especially those with vision and hearing disabilities, often encountered problems with access to courts and obtaining court interpreters.

Women with disabilities often faced discrimination, including employment discrimination, and claimed they were unable to care for their children and received worse medical services and care compared to the general population, especially in provincial medical institutions. Pregnant women with disabilities faced accessibility barriers at maternity clinics and hospitals. There were no public reports of violence, harassment, intimidation, or abuses against persons with disabilities. The law does not specifically prohibit discrimination against persons with physical, sensory, intellectual, or mental disabilities, and discrimination was common.

The country's lack of independent living opportunities left many persons with disabilities no choice but to live in state-run institutions where the quality of care was generally low. Instances of harassment and mistreatment were reported, such as cases of physical and psychological abuse, lack of medical care for other nondisability-related conditions, and underfunded facilities and infrastructure. Authorities continued the practice of placing persons with physical and mental disabilities in the same facilities and did not provide either group with specialized care. More than 10,000 persons with disabilities who lived in "psychoneurological" institutions were deprived of legal rights, and courts designated directors of these institutions as their legal guardians.

## **Other Societal Violence or Discrimination**

Societal discrimination against persons with HIV or AIDS remained a problem, and the illness carried a heavy social stigma. According to local NGOs working with HIV-positive and AIDS patients and other groups at risk, HIV-infected individuals, especially drug users undergoing or having completed treatment, continued to face discrimination, especially at workplaces and during job interviews.

## **Section 7. Worker Rights**

### **a. Freedom of Association and the Right to Collective Bargaining**

Although the law provides for the rights of workers, except state security and military personnel, to form and join independent unions and to strike, it places serious restrictions on the exercise of these rights. The law provides for the right to organize and bargain collectively but does not protect against antiunion discrimination. Workers who claim they are fired for union activity have no explicit right to reinstatement or to challenge their dismissal in court, according to trade union activists.

The government did not enforce the law, in part because the government and state enterprises did not respect the legal right of freedom of association. The law provides for civil penalties against employers in the form of fines for violations of the freedom of association or collective bargaining. Fines against employers were

less than commensurate with penalties for other crimes related to civil rights and were rarely applied, especially against state-owned enterprises, which were the main violators.

Along with independent NGOs, the government shut down all independent unions operating in the country. On July 18, the Supreme Court ordered the closure of the independent umbrella Belarusian Congress of Democratic Trade Unions (BKDP), made up of approximately 10,000 workers, following similar orders given on July 12-14 to shut down its four constituent trade unions. The prosecution claimed trade unions “participated in destructive activities, unsanctioned mass events, and distributed extremist information.” Prior to its liquidation, the BKDP did not represent the majority of workers at any of the country’s largest state employers. The government-controlled Federation of Trade Unions of Belarus remained the largest union federation and claimed more than four million members.

Tight government control over registration requirements and public demonstrations made it difficult for the BKDP to organize or conduct strikes.

The government did not respect collective bargaining. Prohibitive registration requirements, mandating that any new union unaffiliated with the government have a large membership and cooperation from state employers, continued to present significant obstacles to independent union formation. Trade unions may be removed from the register by a decision of the registrar, without any court procedure. The registrar may remove a trade union from the register if, following the issuance of a written warning to the trade union that it is violating legislation or its own statutes, the violations are not corrected within one month. Prior to the closure of independent unions, authorities resisted attempts by workers to leave official unions and join independent unions. Government restrictions on freedom of association made it difficult for independent trade unions to participate in collective bargaining. Authorities require a single labor union position ahead of bargaining, which at state enterprises where the BKDP was present required both labor organizations to collaborate in collective bargaining.

The requirements to conduct a legal strike are high. For example, strikes may only be held three or more months after dispute resolution between the union and employer fails. The duration of the strike must be specified in advance. In

addition, a minimum number of workers must continue to work during the strike. Nevertheless, these requirements were largely irrelevant, since the unions that represented almost all workers remained under government control. Government authorities and managers of state-owned enterprises routinely interfered with union activities and hindered workers' efforts to bargain collectively, in some instances arbitrarily suspending collective bargaining agreements. Management and local authorities blocked workers' attempts to organize strikes on many occasions by declaring them illegal.

Some union members who participated in political protests, which authorities generally considered unauthorized mass events, were detained, and a smaller percentage of politically active workers lost their jobs or remained in forced exile.

The government continued to pressure workers and trade union leaders by jailing them, subjecting them to physical violence, firing them, detaining or fining workers who discussed conducting strikes, refusing to renew employment contracts of workers involved in strikes, and applying psychological pressure by threatening workers with the removal of parental rights over their children and stressing the impact lost wages would have on their children and families.

Workers encountered politically related pressure, including for attempting to exercise their freedoms of speech, assembly, and association or expressing their political opinions.

On April 19, authorities arrested at least 18 independent trade union leaders and activists, including BKDP chair Alyaksandr Yarashuk and his deputy, Siarhei Antsusevich. While at least three activists were released after questioning, their computer equipment was confiscated, and one activist was hospitalized after suffering a heart attack during detention. Authorities refused to provide any information to either families or defense lawyers on the status or charges against the detainees. On December 26, the Minsk city court convicted Yarashuk, Antusevich, and BKDP's accountant Iryna But-Husaim on charges of organizing activities grossly violating public order and sentenced each up to four years in prison. Yarashuk was additionally sentenced on charges of calling for sanctions and other detrimental action against the country.

In October, Artsiom Zharnak, chairman of the Free Trade Union of Metalworkers at the Minsk Automobile Plant, who was first detained in November 2021, was found guilty of “training or preparation of persons to participate in mass riots or financing such activities,” and “calling for actions aimed at harming national security.” He was sentenced to four years in a minimum-security penal colony.

The law on mass events also seriously limited demonstrations, rallies, and other public action, constraining the right of unions to organize. No foreign assistance may be offered to trade unions for holding seminars, meetings, strikes, pickets, or related activities, or for “propaganda activities” aimed at their own members, without authorities’ permission. Workers at state-owned enterprises were fired, arrested, and in some cases criminally prosecuted for participating in strikes. Authorities attempted to pressure or fire workers who were deemed protest or strike leaders, or became involved in opposition political activities, which hindered the union’s ability to conduct regular union activities and disrupted workers’ rights to strike and express freely their political opinions.

In June 2021, the government amended labor laws, making it easier to fire workers who had participated in a strike or had been arrested, for example, for participating in protests. The amendment also allows unions to be punished if any of their members participate in a public demonstration without prior approval from government authorities.

State employees, who constituted approximately 70 percent of the workforce, may have contracts with terms of up to five years, but most contracts expire after one year. The BKDP and NGOs alleged this practice gave the government, through state employers, the ability to fire state employees by declining to renew their contracts. Some state employees (including medical professionals and teachers) who protested the government’s COVID-19 response or participated in protests against the government’s handling of the election in 2020 and 2021 reportedly were not rehired. Members of nongovernment-affiliated unions, political parties, and civil society groups lost their jobs due to their one-year contracts lapsing. A government edict provides the possibility for employers to sign open-ended work contracts with an employee only after five years of good conduct and performance by the employee. Longer contracts, however, reportedly also restrict the ability of employees to leave for other jobs. Workers are generally protected during the

terms of their contracts.

Opposition political party members and democratic activists sometimes had difficulty finding work at state-affiliated employers due to government pressure on these employers.

## **b. Prohibition of Forced or Compulsory Labor**

The law prohibits and criminalizes all forms of forced or compulsory labor, with the exception of court rulings that may require work or services as part of a sentence, and which may include penal labor.

Parents who have had their parental rights stripped and are unemployed, or are working but fail to compensate state child-care facilities for the maintenance of their children, may be subject to forced employment by court order. Individuals who refuse forced employment may be held criminally liable and face community service or corrective labor for a period of up to two years, imprisonment for up to three years, or other freedom restrictions, all involving compulsory labor and garnishment of 70 percent of their wages to compensate for expenses incurred by the government.

Authorities required officially registered unemployed individuals, who voluntarily quit their last jobs or were fired for disciplinary action, failing to perform duties, or being intoxicated, among other factors, to perform paid community service at least 22 days a year. Individuals with disabilities, single parents, and parents of three or more children as well as parents of children with disabilities and younger than 18 were exempt and were able to receive higher unemployment benefits.

The government did not effectively enforce the law. Regulations against forced labor were seldom enforced, and resources and inspections dedicated to preventing forced and compulsory labor were minimal.

The country largely served as a source country for labor trafficking. Aside from border restrictions enacted during the COVID-19 pandemic, citizens were able to freely travel to and work in Russia, reportedly the largest destination country. Compared to NGOs, the government rarely identified victims of labor trafficking, and prosecution of those responsible for forced labor remained minimal. Official

statistics were not made publicly available. In 2020, NGOs identified 26 labor trafficking victims, compared with the government's identification of two. Authorities reportedly did not recognize claims by citizens who returned from Russia and complained they had endured forced labor there. Government efforts to prevent and eliminate labor trafficking did not improve during the year.

There were no reported examples of government reprisals against individuals who abstained from community work activities (commonly called *subbotniks*) during the year.

Former inmates stated their monthly wages were as low as one to two rubles (\$0.50 to \$1.00). Senior officials with the Prosecutor General's Office and the Internal Affairs Ministry stated in 2015 that at least 97 percent of all work-capable inmates worked in prison as required by law, excluding retirees and persons with disabilities, and that labor in prison was important and useful for rehabilitation and reintegration of inmates.

Also see the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

### **c. Prohibition of Child Labor and Minimum Age for Employment**

The law prohibits all of the worst forms of child labor. The minimum age for employment is 16. Children as young as 14 may conclude a labor contract with the written consent of one parent or a legal guardian. The Prosecutor General's Office is responsible for enforcement of the law. Persons younger than 18 are allowed to work in nonhazardous jobs but are not allowed to work overtime, on weekends, or on government holidays. Work may not be harmful to children's health or hinder their education.

The government generally enforced these laws, and penalties for violations were commensurate with those of other serious crimes. The government did not provide data on child labor law violations during the year.

There were no confirmed reports during the year of the worst forms of child labor.

#### **d. Discrimination with Respect to Employment and Occupation**

There is no penalty for discrimination in general. The law prohibits employer discrimination only when employers refuse to hire a person who was referred by the government's Labor, Employment, and Social Welfare Agency as part of a quota system. In these cases, the government may charge the employer with a civil penalty if the discrimination was on the basis of the person's race, age, gender, language, political or religious beliefs, membership in a trade union, social status, or place of residence. There is no prohibition for labor discrimination based on sexual orientation, gender identity, HIV status, or refugee or stateless status. The government did not effectively enforce the law, and penalties were not commensurate with those of other violations related to civil rights. Penalties were rarely applied against violators.

Discrimination in employment and occupation occurred with respect to political preferences, ethnicity, gender, disability, language, sexual orientation and gender identity and expression, and HIV-positive status (see section 6, Women, and Other Societal Violence or Discrimination). In addition, some members of the Roma community complained that employers often discriminated against them and either refused to employ them or did not provide full-time jobs. The government did not take any action during the year to prevent or eliminate employment discrimination. Employment discrimination occurred across most economic sectors and in both private and public workplaces.

The law requiring equal pay for equal work was not regularly enforced, and in 2020 the country's National Statistics Committee reported that average salaries for women were 26.7 percent less than salaries for men.

On June 6, the Labor and Social Welfare Ministry removed 93 positions from its list of 181 "physically demanding" jobs "in hazardous or dangerous conditions" that women are not permitted to occupy, for example, in logging, smelting, casting, rolling, and stamping of lead products, and installation and maintenance of power lines. Women were not permitted to work in all the same employment sectors as men. Very few women were in the upper ranks of management or government, and most women were concentrated in the lower-paid public sector. There are no laws that prohibit sexual harassment in the workplace, and without criminal or civil

remedies to sexual harassment in the workplace, it remained a significant problem. There is no legal prohibition against gender-based discrimination in access to credit. Although the law grants women the right to three years of maternity leave with assurance of a job upon return, employers often circumvented employment protections by using short-term contracts, then refusing to renew a woman's contract when she became pregnant.

A government prohibition against workdays longer than seven hours for persons with disabilities reportedly made companies reluctant to hire them. According to independent estimates, up to 85 percent of persons with disabilities remained unemployed. Authorities provided minimal welfare benefits for persons with disabilities. Pension calculations should consider disability status under the law; however, authorities were not always willing to provide higher pensions warranted by disability status. Members of the country's Paralympic teams received half the salaries and prize money of athletes without disabilities.

#### **e. Acceptable Conditions of Work**

**Wage and Hour Laws:** As of October 1, the national minimum monthly wage exceeded the poverty line.

The law establishes a standard workweek of 40 hours and provides for at least one 24-hour rest period per week. The law provides for mandatory overtime and nine days of holiday pay and restricts overtime to 10 hours a week, with a maximum of 180 hours of overtime each year.

The State Labor Inspection Department at the Labor and Social Welfare Ministry was responsible for the enforcement of wage and overtime laws.

**Occupational Safety and Health:** The law establishes minimum conditions for occupational safety and health (OSH), but employers did not always follow the standards or require workers to wear minimal safety gear.

The State Labor Inspection Department at the Labor and Social Welfare Ministry is responsible for workplace safety and worker health. The state labor inspectorate lacked authority to enforce employer compliance and often ignored violations. Although inspectors could make unannounced inspections and initiate sanctions,

the number of inspectors was insufficient to enforce compliance.

The law provides workers the right to remove themselves from situations that endanger health or safety without jeopardizing their employment. According to the State Labor Inspection Department, employees have the right to refuse to perform work if they are not provided with personal protective equipment that directly ensures labor safety. The list of required personal protective equipment was approved by the ministry. In order to refuse to perform assigned work due to a lack of equipment, an employee must inform the employer or an authorized official of the reasons for refusal in writing.

According to state media, the government registered 1,089 workplace injuries and 101 deaths in January-August, down from 1,251 injuries and 86 deaths in the same period in 2021. In the first six months of the year, employers were held liable for 195 workplace incidents, down from 239 in the same period in 2021. The most problematic industries included the agricultural, industrial, and construction sectors. The same inspectors who have authority over wage and working hour laws are also responsible for enforcing occupational safety and health laws. The State Labor Inspection Department maintained labor hotlines for each region and also provided separate contact details for matters associated with labor inspections, labor protection, and labor violations. The department also maintained a hotline for problems involving the illegal dismissal of workers.

**Wage, Hour, and OSH Enforcement:** Authorities effectively enforced minimum wage and overtime laws, and penalties for violations were commensurate with those for other similar crimes. The government did not effectively enforce OSH laws. Penalties for violations were less than commensurate with those for other similar crimes. Penalties were only sometimes applied against violators, and the number of labor inspectors was widely assumed to be sufficient to enforce compliance, but the number was not made public.

**Informal Sector:** Independent experts reported the informal economy constituted up to 30 percent of the total economy, which had a workforce of 4.3 million persons. Persons engaged in the informal economy were often employed in agricultural, transportation, small-scale retail, and short-term lodging sectors. Labor law does not cover informal workers.