

Flygtningenævnets baggrundsmateriale

Bilagsnr.:	314
Land:	Belarus (Hviderusland)
Kilde:	Freedom House
Titel:	Nations in Transit 2023 – Belarus
Udgivet:	24. maj 2023
Optaget på baggrundsmaterialet:	16. juni 2023

Belarus

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CONSOLIDATED AUTHORITARIAN REGIME

/100

Democracy Percentage	1.79 /100
Democracy Score	1.11 /7

LAST YEAR'S DEMOCRACY PERCENTAGE & STATUS

3/100

Consolidated Authoritarian Regime

The ratings are based on a scale of 1 to 7, with 7 representing the highest level of democratic progress and 1 the lowest.

The Democracy Score is an average of ratings for the categories tracked in a given year. The Democracy Percentage, introduced in 2020, is a translation of the Democracy Score to the 0-100 scale, where 0 equals least democratic and 100 equals most democratic. See the methodology.



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Authors

Tatsiana Ziniakova and Artyom Shraibman

Score changes in 2023

- **Civil Society rating declined from 1.50 to 1.25** due to the liquidation of independent trade unions and rapidly expanding repression of various social groups, including national minorities, cultural workers, LGBTQ+ persons, migrants and transit refugees, Ukraine supporters, and political exiles and their relatives in Belarus, as part of a larger and ongoing effort by the government to punish all forms of dissent.
- **Corruption rating declined from 1.50 to 1.25** due to a new repressive tactic by the government to extract money in an extrajudicial manner from citizens who donated to solidarity funds, as well as the government's full classification of information on trade and exports.

As a result, **Belarus's Democracy Score declined from 1.18 to 1.11.**

Executive Summary

Political repressions in Belarus have been incessant since 2020. In 2022, the involvement of Belarus in Russian aggression against Ukraine—by lending its territory and infrastructure to the Russian military, as well as planning to deploy a joint regional military group ¹—led to further democratic and rule of law backsliding in the country. While state authorities were unwilling to admit their role as the co-aggressors, ² they were actively suppressing antiwar activism in the country ³ and labeling Belarusians fighting on the Ukrainian side as “extremist.” ⁴

“Railway partisans,” groups of activists who sabotage railroad tracks in order to prevent Russian supplies from moving into Ukraine, faced “attempted terrorism” charges, which may entail the death penalty under newly amended laws. Volunteers wishing to join the Armed Forces of Ukraine (ZSU) faced criminal responsibility for “preparing to take part in an armed conflict on the territory of a foreign state.” ⁵ People also faced administrative and criminal responsibility for making antiwar murals and wearing blue and yellow hair ribbons to show their solidarity with Ukraine. ⁶

The start of Russia's full-scale invasion in Ukraine, aided by Belarusian authorities, conveniently coincided with the state-initiated constitutional referendum in Belarus in February 2022, allowing multiple procedural irregularities and electoral fraud to fly

under the radar amid the turbulence of the first days of the invasion. Ironically, one of the constitutional changes was to substitute a constitutional passage stating “Belarus would strive to become a neutral state” with one saying “Belarus excludes military aggression against other states from its territory,” ⁷ effectively rendering the norm violated from the moment of its entry into force.

Most of the constitutional amendments adopted at the referendum as a single package serve as a “safety net” for Aliaksandr Lukashenka, if he were to leave the presidency. ⁸ Significant powers were transferred to the All-Belarusian People’s Assembly (ABPA) in a brand-new constitutional chapter. The status of the ABPA, now endowed with such functions as declaring the impeachment of the newly elected president; ⁹ approving key foreign and domestic policy directions; ¹⁰ and proposing constitutional amendments and referendums, ¹¹ is largely unregulated in other legislative acts. The system under which the president, upon leaving the presidency, receives a position as a delegate of the ABPA and can become its chairman allows Lukashenka to hold on to power even if he formally ceases to be president.

Complicity in Russian aggression against Ukraine has made it virtually impossible for Belarus to market itself as a peaceful buffer zone between the two belligerents. The growing and inescapable dependency on Russia, coupled with a long-lost possibility to earn Western favors by making symbolic and seemingly prodemocratic concessions, has strengthened authoritarianism in Belarus. Such a status quo promises no rolling back of repressive policies in the near future. In 2022, such policies were on the rise and affected a growing portion of the population.

The number of political prisoners known to and recognized by human rights groups grew from 969 individuals on January 1, 2022, ¹² to 1,451 by the end of the year. ¹³ The number of individuals detained on administrative grounds amounted to a minimum of 6,380 people. ¹⁴ The 2022 Nobel Peace Prize laureate Ales Bialiatski is among those detained on political grounds and was ultimately sentenced to 10 years in prison, ¹⁵ along with his colleagues and lawyer, who also received prison time in early 2023. ¹⁶ The authorities used a plethora of legal grounds to imprison the regime’s opponents, with criminal charges ranging from nonpayment of utility bills ¹⁷ to high treason. ¹⁸

Belarus's "ecosystem" of "anti-extremism" laws remained the authorities' most popular instrument to silence dissent since these statutes grant the state unfettered discretion in recognizing any undesirable activities as "extremist." ¹⁹ As of August 11, as many as 11,000 criminal cases "of extremist nature" were initiated in the country.

²⁰ Most of the prominent independent media were labeled "extremist" and blocked,

²¹ and responsibility for sharing "extremist" content was often applied retroactively.

²² Crimes of "extremist nature" may also lead to the revocation of Belarusian citizenship, according to the newly adopted edition of the citizenship law. ²³

While the de facto authorities amended and arbitrarily interpreted national laws, they also ignored universal human rights standards and evaded available international accountability avenues. ²⁴ Notoriously, Belarus denounced the Optional Protocol to the International Covenant on Civil and Political Rights, ending citizens' access to the United Nations Human Rights Committee, ²⁵ all while calling to "desacralize" human rights as "a kind of utopia that cannot be realized in practice." ²⁶

Political repressions targeted multiple professional groups. Journalist Katsiaryna Andreeva was sentenced to 8 years in prison, ²⁷ journalist Dzianis Ivashyn to 13 years, ²⁸ and human rights defender Marfa Rabkova to 15 years behind bars. ²⁹ Lawyers continued to be detained, disbarred, and pressured, including for antiwar speech. ³⁰ Trade union leaders were laid off and persecuted amid institutional pressure and liquidation of the unions, which were deemed "destructive." ³¹ In an attempt to monopolize and mandate the state interpretation of history as the only "true" one, ³² authorities also retaliated against cultural workers, including independent book publishers ³³ and tour guides. ³⁴ National minorities ³⁵ and LGBT+ persons ³⁶ also faced increased discrimination.

By December, the number of liquidated civil society organizations had reached 757. ³⁷ In an atmosphere of constant pressure and intimidation, civil resistance was forced underground or into exile. The number of people who have left Belarus since the 2020 elections is estimated to be between 100,000 and 500,000. ³⁸ The rhetoric of Belarusian authorities towards forced migrants was hostile: at the beginning of the year, Lukashenka encouraged those who left the country to "crawl back and kneel" for forgiveness, while promising to still jail those who "deserve it." ³⁹

Civil society activists were systematically targeted by state propaganda. They were routinely dubbed "so-called environmentalists, human rights defenders, and pseudo

journalists, attempting to destroy the state.” ⁴⁰ While demonizing and purging the independent civic space, authorities simultaneously attempted to create an alternative one by launching the government-sponsored nongovernmental organization “Systemic Human Rights Defense,” ⁴¹ and by having the Ministry of Foreign Affairs continue to “dispel the myth” of law-abiding Western democracies by issuing regular reports on human rights abuses in foreign states. ⁴²

Broken institutions continued to facilitate the deterioration of the political and human rights crises in Belarus. Local authorities remained excluded from any meaningful decision-making, acting as loyal and reliable implementers of the state’s repressive policies in the regions. ⁴³ Meanwhile, the judiciary, which could never boast any degree of independence, continued to be instrumentalized to punish political dissenters and deny justice to those whose rights were violated by the regime. In July, the courts acquired a new competence to try defendants *in absentia* ⁴⁴ as a response to the refusal of foreign states to extradite Belarusians wanted on political grounds.

⁴⁵ The first in absentia verdict was reached in December against the cofounders of the Belarusian Sport Solidarity Foundation, Aliaksandra Herasimenia and Alexander Opeikin; each received a sentence of 12 years in prison. ⁴⁶ In early 2023, the in absentia case against the Coordination Council ended with a 15-year prison sentence for democratic leader Sviatlana Tsikhanouskaya, among other lengthy sentences for the council’s members. ⁴⁷ According to the Investigative Committee, the authorities plan to initiate more in absentia proceedings against other activists and opposition members. ⁴⁸

Belarus has exhibited less transparency in the realm of economics and foreign trade, stirring corruption concerns. In 2022, Belarus was subjected to additional sanctions in connection with its involvement in the Russia-Ukraine war. ⁴⁹ In an alleged effort to evade the newly imposed trade limitations, authorities proceeded to classify public data on exported goods and countries of export. ⁵⁰ They were also accused of meddling with the commodity codes of exported goods. ⁵¹

Although the state of democratic governance in Belarus has been dire since the 2020 protests, the role of Belarusian authorities as co-aggressors in the Russia-Ukraine war has pushed the crisis even further. Various and intersecting forms of persecution now target the regime’s political opponents, antiwar activists, human rights defenders, law practitioners, cultural workers, journalists, LGBT+ persons, refugees, and migrants.

Consequently, dissent has been forced underground or into exile, while civil society space has shrunk against the backdrop of growing online and offline authoritarianism.

At-A-Glance

In Belarus, permeated by authoritarianism, the national governance is characterized by a power imbalance where a disproportionate amount of state powers rest with the president (Aliaksandr Lukashenka, elected in 1994, remains the longest-sitting European autocrat). The electoral process in Belarus is manifestly fraudulent and exclusionary, often misrepresenting the state’s repressive policies as citizens’ democratic choices. Civil society representatives face unprecedented and constant pressure from the regime: they are targeted for criminal and administrative prosecution, forced liquidation, disbarment, dismissals, censorship, intimidation, and harassment. Independent media are retaliated against for performing their professional duties; outlets are routinely labeled “extremist” and blocked, while journalists are imprisoned. Local governance bodies are subordinate to central authorities, enjoying only a marginal degree of autonomy. The judiciary in Belarus is instrumentalized as a punitive tool against dissenters, while no justice is served to the victims of authorities’ violence and repressions. Attempts by authorities to evade sanctions, and effectively demand ransoms in exchange for liberty, have created growing concerns about corruption and lack of transparency in the country.

National Democratic Governance 1.00-7.00 pts

Considers the democratic character of the governmental system; and the independence, effectiveness, and accountability of the legislative and executive branches.	1.00 /7.00
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- In 2022, Belarusian authorities continued to engage in mass political repressions with impunity. According to the human rights center Viasna, the number of political prisoners grew from 969 people on January 1 ⁵² to 1,451 by the end of the year. ⁵³ The number of individuals detained on administrative grounds during the year amounted to a minimum of 6,380 people. ⁵⁴
- Constitutional amendments, proposed by the regime and adopted in February following the All-Belarusian People’s Assembly (ABPA), codified the status of the ABPA in a separate chapter akin to those governing the work of the legislative, judiciary, and executive branches. Yet the status of this new governance body, as

well as cosmetic changes to the status of other bodies, brought little to no change to the actual power distribution in the country. The new edition of the constitution failed to guarantee a system of checks and balances between branches of state power. **55**

- Belarus remains an autocracy where power is consolidated in the hands of the president, a post occupied by Aliaksandr Lukashenka for nearly 30 years despite ample evidence of election fraud. **56** While the newly amended constitution formally introduces certain restrictions on the powers of the presidency, the current ruler's personal position appears to be even further strengthened, **57** and the criteria for outsiders to run for president are now more stringent. For instance, prerequisites for being elected president now include 10 to 20 years of permanent residence in Belarus and holding no foreign citizenship or residence permit of a foreign state. The return to the presidential two-term limit from having no term limit by a single person may seem like a step toward democratic governance enshrined in the new constitution. Yet this provision will only apply from the next presidential elections on, giving Lukashenka a right to remain president until 2035. **58**
- The constitutional amendments provide guarantees for Lukashenka if he were to leave the presidency. **59** They concern the immunity of the head of state in and outside of office; the transfer of powers to the chair of the Council of the Republic, the parliamentary upper chamber (instead of the prime minister), in case the president is unable to perform his/her duties; and, crucially, the extension of the powers of the ABPA, the activities of which are regulated in a new constitutional chapter. According to the constitution's new edition, the president, upon leaving his/her position, becomes a delegate of the ABPA—which, in turn, receives new competences, such as declaring the impeachment of the newly elected president; **60** approving key foreign and domestic policy directions; **61** proposing constitutional amendments and referendums; **62** electing the chair and judges of the Constitutional and Supreme Courts, as well as the chair and members of the Central Electoral Commission; **63** and declaring a state of emergency. **64** Lacking an organic draft law specifying how the ABPA will be formed and whether it will include elected members, it remains unclear whether this new institution will represent the will of the Belarusian people. **65** Such amendments represent a “safety net” for Lukashenka, who can preserve his grip on power in a formally new role as the assembly's delegate, even in the unlikelyhood that he would voluntarily leave office.

- The true intentions behind the superficial constitutional reform could be deduced from later rhetoric by Lukashenka, who claimed that it was a mistake not to propose electing the president by the ABPA, since democratic presidential elections tend only to “rock the boat.” ⁶⁶
- The deepening political and human rights crises in Belarus were further exacerbated by the involvement of Belarusian authorities in Russia’s full-scale invasion of Ukraine. The spike in the Russia-Ukraine war, now directly using Belarusian territory for missile strikes on Ukrainian cities and plans for deploying a joint regional military group, ⁶⁷ added another dividing line in Belarusian society, with the regime’s opponents largely taking an antiwar stance ⁶⁸ as government functionaries clamped down on dissenters who dare to disagree with the authorities on both internal and foreign politics.

Electoral Process 1.00-7.00 pts

Examines national executive and legislative elections, the electoral framework, the functioning of multiparty systems, and popular participation in the political process.

1.00
/7.00

- On February 27, 2022, a mere three days after the full-scale Russian invasion of Ukraine aided by Belarusian authorities, ⁶⁹ a referendum on constitutional amendments was held in Belarus. The referendum was a long-planned endeavor. ⁷⁰ Neither the delegates of the ABPA, charged with formulating the amendment proposals, nor members of the relevant commission included any opponents of the authorities, thus making the entire process an orchestrated effort to symbolically manifest the government’s legitimacy while nevertheless securing the power of Lukashenka and stabilizing the regime’s positions. ⁷¹
- The proposed constitutional amendments were primarily centered around the distribution of powers, effectively providing a “safety net” for Aliaksandr Lukashenka, if he were to leave office (see “National Democratic Governance”). ⁷² Other amendments concerned constitutional provisions of “propagandistic value”: for example, codifying the definition of marriage as the union of one man and one woman, or undertaking to preserve the historical truth and memory of the sacrifices of the Belarusian people during World War II, ⁷³ thus laying ground for new laws giving the state a monopoly in interpreting history. ⁷⁴ Another notable change to the constitution is the removal of the clause stipulating that Belarus would strive to become a neutral state, free of nuclear

weapons. ⁷⁵ The removed passage in Article 18 was substituted with one declaring that “Belarus excludes military aggression against other states from its territory.” ⁷⁶

- Prior to the referendum, several actors voiced concerns as to its lawfulness amid ongoing political repressions. ⁷⁷ Former presidential candidate Sviatlana Tsikhanouskaya, forced out of the country during the 2020 elections ⁷⁸ and now a leader of Belarusian democratic forces, called upon Belarusians to come to polling stations and cross out both the “for” and “against” options on their ballots, rendering them invalid. ⁷⁹
- The procedure for organizing the referendum was manifestly flawed. No polling stations were established in consulates abroad, making it impossible for the diaspora and Belarusians forced into exile to cast a vote. Electoral commissions did not include any representatives of the opposition. ⁸⁰ Voters were given the choice of either supporting or rejecting the constitutional reform in full. ⁸¹ OSCE observers were not invited. ⁸² The Central Electoral Commission, charged with organizing the referendum, also ordered the removal of curtains from voting booths, allegedly to prevent voters from taking photos of their ballots. ⁸³
- Ahead of the referendum, the Investigative Committee initiated several cases against people “plotting to undermine the referendum” by sending letters to electoral commissions and calling upon them to count the votes honestly. ⁸⁴ An 18-year-old political prisoner and student, Raman Karpuk, was found guilty of obstructing the exercise of electoral rights under Article 191 of the criminal code for sending 99 letters to commission members and was sentenced to three years in prison. ⁸⁵
- At least 908 people were detained on the day of the referendum. ⁸⁶ While some were detained for photographing ballots ⁸⁷ or invalidating them with double marks, ⁸⁸ most of the arrests had to do with people using the referendum as an opportunity to peacefully protest Belarus’s complicity in Russia’s invasion of Ukraine, which happened a few days prior. Subsequently, the Investigative Committee stated that a criminal case was underway against seven people accused of attempting to disrupt the organization of the referendum. ⁸⁹
- According to official referendum results, 78.63 percent of eligible voters participated, with 82.86 percent of those who voted supporting the amendments (or 65.16 percent of eligible voters). ⁹⁰ The amended constitution entered into force on March 15, 2022.

Civil Society 1.00-7.00 pts

Assesses the organizational capacity and financial sustainability of the civic sector; the legal and political environment in which it operates; the functioning of trade unions; interest group participation in the policy process; and the threat posed by antidemocratic extremist groups.

1.25
/ 7.00

- The year 2022 saw the further shrinking of civic space in Belarus in what appeared to be a prolonged aftermath of the 2020 protests. The wave of liquidations, closures, searches, and arrests indicates the intention to completely purge civil society of independent voices in Belarus. ⁹¹
- Since the *en masse* liquidation (disbandment) of civil society organizations, ⁹² including trade unions, ⁹³ the authorities have reintroduced Article 193-1 of the criminal code, which criminalizes work “on behalf of unregistered or liquidated organizations,” making it punishable by up to two years in prison. ⁹⁴ State propaganda characterizes human rights defenders as “agents of Western powers” with a mission to destabilize Belarusian society. ⁹⁵ At the same time, the state facilitated the creation of the government-organized nongovernmental organization (GONGO) “Systemic Human Rights Defense,” ⁹⁶ which promotes biased state-sponsored narratives, blaming the humanitarian crisis at the Belarus–European Union (EU) border ⁹⁷ on provocations from the Polish authorities, or running campaigns about alleged torture of Russian soldiers in Ukraine. ⁹⁸
- Used as a tool of oppression, the body of “anti-extremism” laws in Belarus is a particularly notorious method for silencing dissent. ⁹⁹ As of August 11, 2022, there had been some 11,000 cases “of extremist nature” initiated. ¹⁰⁰ Responsibility for sharing “extremist” content was often applied retroactively. ¹⁰¹ In January, the new Law on the Genocide of the Belarusian People, monopolizing the interpretation of historical events by the Belarusian authorities, was adopted. ¹⁰² In April, the criminal code was amended to expand use of the death penalty to include “attempted acts of terrorism.” ¹⁰³
- Political repressions occur in both offline and online realms, with practices of digital authoritarianism gaining popularity among members of the regime. ¹⁰⁴ One such practice is the use of “confession tapes,” published on government-controlled Telegram channels and often featuring the regime’s opponents admitting to crimes they did not commit. ¹⁰⁵ On several occasions, such tapes

contained scenes of forced outings of LGBT+ individuals ¹⁰⁶ and racist slurs. ¹⁰⁷ In 2022, Belarusian officials spoke of their intention to adopt an “anti-LGBT propaganda” law, similar to a Russian statute, although no active steps were taken. ¹⁰⁸

- Belarusian cultural workers face mounting pressures. ¹⁰⁹ In the spring, over the course of a single month, the activities of several independent publishing houses and bookstores were terminated. ¹¹⁰ In May, law enforcement authorities, accompanied by state propagandists, ¹¹¹ raided the independent publishing house and bookstore Knyhauvka, seizing more than 200 books, including those about Belarusian history and George Orwell’s *1984*. ¹¹² Following the detention of several tour guides, ¹¹³ Belarusian authorities introduced a Council of Ministers resolution “On excursion services,” creating a national register of state-approved tour guides and increasing their attestation requirements. Additionally, a register for organizers of cultural and entertainment events was created; those unlisted by the Ministry of Culture are unable to carry out programs, meaning that only state or regime-loyal organizers will be allowed to do so. ¹¹⁴
- In 2022, the state government consistently suppressed the culture of national minorities in Belarus. Several Polish cultural societies and clubs were liquidated. ¹¹⁵ Authorities made no effort to investigate vandalism of Polish World War II tombstones and commemorations in Western Belarus. ¹¹⁶ These repressions also pervaded the sphere of formal education with the closure of Lithuanian and Polish schools in the beginning of the year. ¹¹⁷
- Freedom of conscience was under attack as well. The Roman Catholic Church faced intensifying pressure as priests were persecuted and forced out of the country. ¹¹⁸ The Orthodox priest Uladzislau Bahamilnikau, who officiated the memorial service for activist Raman Bandarenka ¹¹⁹ and supported Ukrainian refugees, spent 100 days in Akrestina detention center on administrative charges before facing a criminal charge of “organizing actions grossly violating public order.” ¹²⁰ Representatives of other faiths also faced persecution. ¹²¹
- The humanitarian crisis at the Belarus-EU border, ¹²² which continued throughout 2022, brought more discrimination against asylum seekers and transit migrants. Migrants crossing the border to get into the EU were often pushed or sent back to Belarus or held in detention under dire conditions. ¹²³ International watchdogs documented pushbacks by Poland, ¹²⁴ Latvia, ¹²⁵ and Lithuania, ¹²⁶ while people gave harrowing accounts of violence, death, rape,

extortion, theft, and restrictions on freedom of movement by Belarusian border guards. ¹²⁷ Reportedly, human rights defenders were also intimidated at the Belarus-Poland border. ¹²⁸

- In Belarus, civil resistance has been forced underground or into exile. This atmosphere of impunity and fear has led to a mass exodus of the political opposition, civic activists, intellectuals, and many other groups. ¹²⁹ According to information received by the Office of the United Nations High Commissioner for Human Rights (OHCHR), at least 100,000 individuals have sought safety abroad since the 2020 elections. ¹³⁰ Other sources estimate the number to be between 100,000 and 500,000 people. ¹³¹ In numerous instances, forced émigrés express fear that family members left behind are likely to be harassed or intimidated. ¹³² The authorities admittedly perceive such emigrants as traitors, and now possess the legal power to revoke the citizenship of individuals engaging in “extremist activities” from abroad. ¹³³
- While the authorities seek ways to exert pressure on civil society, Belarusian resistance has taken new forms—from horizontal civic tech initiatives, ¹³⁴ like the Belaruski Hajun Telegram channel monitoring the war in Ukraine, ¹³⁵ to “railway partisans” ¹³⁶ receiving 22-year prison sentences ¹³⁷ for attempts to prevent the movement of Russian military equipment and supplies into Ukraine. Such an endeavor was also supported by a group of anonymous hacktivists known as the Belarusian Cyber-Partisans, who hacked into the Belarusian Railways computer system to sabotage the deployment of Russian military units in the country. ¹³⁸ Belarusian volunteers fighting on the side of Ukraine as part of the Kastuś Kalinoŭski regiment were likewise targeted by the authorities and labeled “extremist.” ¹³⁹
- While these mounting political repressions did not completely eradicate civic space in Belarus, civil society was often forced to exist in “survival mode,” prioritizing immediate security concerns during the year.

Independent Media 1.00-7.00 pts

Examines the current state of press freedom, including libel laws, harassment of journalists, and editorial independence; the operation of a financially viable and independent private press; and the functioning of the public media.

1.00
/ 7.00

- Independent media have been under constant pressure from Belarusian authorities since 2020. While dozens of media representatives remain behind bars, ¹⁴⁰ many more are forced into exile. Independent outlets are regularly labeled as “extremist” and blocked, making it harder to reach audiences within Belarus without subjecting readers themselves to the risk of persecution and intimidation.
- In conditions of virtually eradicated civic space, and in the absence of nongovernment-controlled media in Belarus, authorities have limited the population’s access to comprehensive information regarding the country’s use of territory and infrastructure to enable Russian aggression in Ukraine. ¹⁴¹ Additionally, the continued crackdown on media results in limited information from within Belarus leaving the country and, therefore, a lack of international media coverage and interest in the country; consequently, Belarus risks falling into a kind of oblivion for decision-makers that benefits the regime. ¹⁴²
- The legal framework for journalism was tightened in 2021, putting multiple limitations on media and making it essentially impossible for independent outlets to remain in compliance with repressive laws. The Law on Mass Media was amended to limit the circle of subjects authorized to register a media outlet and extend the list of grounds for waiving a journalist’s accreditation, allowing the Ministry of Information to halt the activities of undesirable media in an extra-judicial manner. ¹⁴³
- Yet state authorities often do not resort to media-specific laws to imprison journalists. In March 2022, Yahor Martsinovich and Andrei Skurko, the editor-in-chief and head of advertising, respectively, for the independent newsweekly *Nasha Niva*, were sentenced to two and a half years in prison for incorrectly paying utility bills at an individual rather than corporate rate. ¹⁴⁴
- Performing professional journalistic duties is equated to high treason by state authorities. Belsat TV journalist Katsiaryna Andreeva was detained in November 2020 during her livestreaming of a protest. She was already serving a two-year prison sentence for “organizing an illegal protest” when a new criminal charge of “high treason” was brought against her. On July 13, she was given an additional eight years in prison, just two months before her scheduled release from the previous sentence. ¹⁴⁵ On September 14, journalist Dzianis Ivashyn was sentenced to 13 years in prison for “high treason” and “interference in the activities of a police officer.” ¹⁴⁶ On September 28, journalist Kseniya Lutskina was sentenced to eight years in prison for “conspiring to seize state power.” ¹⁴⁷

On October 6, employees of the BelaPAN news agency—including journalist and media manager Andrei Aliaksandraŭ, sociologist and activist Irina Zlobina, editor-in-chief and director of BelaPAN Irina Levshina, and former agency director Dmitry Novozhilov—were sentenced to 14, 9, 4, and 6 years in prison, respectively, on charges of “high treason,” “creating an extremist formation,” “grossly violating public order,” and “evading taxes.” ¹⁴⁸

- While “high treason” charges remain an extreme form of retaliation against journalists, one of the more “routine” tools of repression is the use of “anti-extremism” laws. ¹⁴⁹ One of Belarus’s largest independent media outlets, Tut.by, and its mirror service Zerkalo.io were recognized as “extremist organizations.” ¹⁵⁰ Prominent independent media outlets *Nasha Niva*, Belsat, Kyky.org, Euroradio, BelaPAN, RFE/RL, among others, were labeled as “extremist formations.” ¹⁵¹ The term is vaguely defined in the Law on Countering Extremism, allowing authorities unfettered discretion in recognizing undesirable outlets as “extremist” without requiring a court decision. Such measures affect not just the media representatives but their informants, who may face criminal prosecution for sharing information with “extremist groups.” ¹⁵²
- Even without declaring an outlet as a whole an “extremist formation” or “organization,” the authorities can still label separate content or social media channels of the outlet as “extremist materials” or simply block access to the outlet’s websites. While blocked websites are accessible through VPNs or mirror services, unsuccessful attempts by users to reach the blocked websites lead to their automatic downrating by search engine algorithms.
- Repressions in the media sphere affected even those outlets that do not actively cover the political situation in the country. The website of a business-oriented newspaper, “Belarusians and the Market,” was blocked because the materials published contained hyperlinks to “extremist” materials. ¹⁵³ In June 2022, Kanstantsin Zalatykh, the outlet’s director and now a political prisoner, was arrested and charged with “inciting hatred,” ¹⁵⁴ while the newspaper’s editor-in-chief and the accountant were interrogated by the State Security Committee (KGB). ¹⁵⁵ In the course of the same month, Yuliya Mudreuskaya, editor-in-chief of the outlet “Autobusiness” (Abw.by), and the special projects editor Yuryi Hladchuk, were arrested and charged with “grossly violating public order.” ¹⁵⁶ Vital Andras, director of the IT-related news portal Dev.by, and accountant Alena Andras were also detained on criminal charges in June 2022. ¹⁵⁷

- Belarus's public media continue to operate as a mouthpiece of state propaganda. The efforts of state media are complemented by progovernment Telegram channels, notorious for publishing confession tapes online where detained individuals are forced to admit the wrongdoings they did not commit. ¹⁵⁸ In 2022, beyond “confessions,” such videos featured forced outings of LGBT+ persons. ¹⁵⁹ While Belarusian propaganda used to play as ads on global big tech platforms, following advocacy efforts by Belarusian democratic forces, Google removed YouTube ads featuring interrogations of detainees. ¹⁶⁰

Local Democratic Governance 1.00-7.00 pts

Considers the decentralization of power; the responsibilities, election, and capacity of local governmental bodies; and the transparency and accountability of local authorities.

1.25
/7.00

- Local authorities in Belarus continue to be subordinate to the central government, emblematic of the country's autocratic and hierarchical style of governance. The role of local authorities in any meaningful decision-making remains marginal, since their key function is to implement policies of the central government.
- The central government's attempts at granting more autonomy to the local level are merely rhetorical: for instance, Lukashenka mentioned that local authorities should not “keep their head in the clouds” and “wait for orders from the center” since “all directions had already been given.” ¹⁶¹ At the same time, during her visit to Belarusian cities, Natalia Kachanova, chair of the upper chamber of the National Assembly (parliament), said in her address to local officials that if they “always listen to the president and always do as the president says, [they] will never be wrong.” ¹⁶²
- Whenever local authorities pursue any independent policies, such activism is quickly curbed. In August 2022, the decision by the Astravets regional executive committee to name the local library after prominent Belarusian author Adam Maldzis was suspended, following a complaint from the proregime activist Volha Bondareva. In the complaint, she called Maldzis a “pro-Polish nationalist.” In the aftermath of the scandal, the Ministry of Culture reportedly distributed a letter to local authorities, requiring them to seek the ministry's approval before proceeding with naming cultural institutions after prominent figures. ¹⁶³

- During the year, only minor changes were made to local competences. The new edition of the land code, for example, expands the powers of local authorities to manage lands within their jurisdiction, ¹⁶⁴ while the new draft decree on the development of agricultural tourism (“agrotourism”) is set to widen the powers of local authorities in developing this type of recreation. ¹⁶⁵
- Local elections in Belarus were postponed in the course of preparing the referendum on constitutional amendments (see “Electoral Process”). Initially, they were slated to be conducted before January 18, 2022; a subsequent schedule put out by the Central Electoral Commission states that the new local elections must be carried out no later than November 5, 2023. ¹⁶⁶

Judicial Framework and Independence 1.00-7.00 pts

Assesses constitutional and human rights protections, judicial independence, the status of ethnic minority rights, guarantees of equality before the law, treatment of suspects and prisoners, and compliance with judicial decisions.

1.00
/7.00

- Although the independence of the Belarusian judiciary has historically been tainted by presidential control over the selection, appointment, reappointment, promotion, and dismissal of judges and prosecutors, ¹⁶⁷ the administration of justice further deteriorated in 2022 as the political and human rights crises deepened. The denial of justice to victims of torture is endemic. ¹⁶⁸ Systemic flaws in the rule of law facilitate the use of the judiciary as an instrument of repression and a means to avoid accountability, leaving few meaningful avenues for remedying human rights violations. ¹⁶⁹
- Intimidation and punishment of independent lawyers has had a devastating effect on the administration of justice and overall rule of law in Belarus. ¹⁷⁰ As of year’s end, 7 lawyers were behind bars, while at least 88 were disbarred by Belarusian authorities. ¹⁷¹ Over 200 lawyers have reportedly left the bar since November 2021 to avoid the risk of persecution. ¹⁷² Since February 2022, lawyers who supported the petition against the war in Ukraine have been targeted with disciplinary procedures. ¹⁷³
- The practice of holding closed-door hearings is particularly widespread in cases with political undertones or where the case records presumably contain “extremist materials.” The OHCHR confirms that “in criminal cases, in particular those of high-profile dissidents, hearings [are] closed, and defense lawyers [are]

forced to sign non-disclosure agreements.” ¹⁷⁴ Such practices limit defendants’ ability to shed light on their persecution for larger audiences and to refute accusations.

- When open hearings are held, the public is often not safe from persecution and intimidation. On September 6, when 10 human rights defenders and activists (Andrei Chapiuk, Danila Chul, Mikita Dranets, Aliaksandr Frantskevich, Aliaksei Halauko, Akikhiro Hayeuski-Hanada, Aliaksandr Kazlianka, Andrei Marach, Marfa Rabkova, and Pavel Shpetny) were sentenced to prison terms of 5 to 17 years in the “Revolutionary Action” group case, ¹⁷⁵ individuals present in the courtroom were also detained. The detainees included human rights defender Nasta Lojka, who ended up facing criminal charges; ¹⁷⁶ relatives of the political prisoners on trial; diplomatic personnel attending the hearing; ¹⁷⁷ and even the lawyers representing the defendants. ¹⁷⁸
- Recent legislative changes reflect the intent of authorities to use the judicial system for essentially punitive purposes, even when defendants reside abroad. In July, Lukashenka signed into law amendments to the criminal procedure code, allowing the trial of defendants *in absentia*, ¹⁷⁹ as a response to the refusal of foreign states to extradite Belarusians wanted on political grounds. ¹⁸⁰ The first *in absentia* verdict was reached in December against the cofounders of the Belarusian Sport Solidarity Foundation, Aliaksandra Herasimenia and Alexander Opeikin; each received a 12-year prison sentence. ¹⁸¹ According to the Investigative Committee, the authorities plan to initiate more *in absentia* proceedings against other activists and opposition members. ¹⁸²
- The desire of Belarusian authorities to evade justice on international platforms is illustrated by the declared intent to denounce the Optional Protocol to the International Covenant on Civil and Political Rights ¹⁸³ —an agreement by which Belarus, in ratifying it, recognized the competence of the Human Rights Committee to consider individual complaints against Belarus in quasi-judicial proceedings. The committee has issued over 100 decisions on Belarus to date, including recently on interim measures in connection with the use of Belarusian territory and infrastructure in the Russia-Ukraine war, leading to the arbitrary deprivation of life. ¹⁸⁴
- While the newly amended constitution introduced some changes to the judiciary, including the right for individuals to directly refer to the Constitutional Court and the increased role of the ABPA in judges’ nominations, such changes have yet to be implemented in practice. ¹⁸⁵ The year saw no shift in the role of

Belarusian courts in implementing the will of authorities to retaliate against dissenters.

Corruption 1.00-7.00 pts

Looks at public perceptions of corruption, the business interests of top policymakers, laws on financial disclosure and conflict of interest, and the efficacy of anticorruption initiatives.

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- Belarus remains a country with no public oversight of officials' income or access to data on trade and exports. In fact, the amount of available public data is shrinking. While Belarus could never boast full transparency in its foreign trade, since June 2022, the National Statistics Committee of Belarus has made it impossible for citizens to access data on exported goods and countries of export—allegedly to make hidden exports more difficult to identify and calculate. ¹⁸⁶
- Throughout the year, more sanctions were adopted against Belarus for its involvement in Russia's military aggression against Ukraine, including personalized and trade-related actions. ¹⁸⁷ The intense pressure of these unilateral restrictive measures prompted authorities to explore new ways to circumvent them, not only by classifying trade statistics but also meddling with the commodity codes of exported goods. ¹⁸⁸
- Against the backdrop of an unprecedented crackdown on independent media (see "Independent Media") and civil society (see "Civil Society"), it has become increasingly difficult to monitor and expose corruption cases in Belarus. Human rights organizations and media outlets that could serve as corruption watchdogs have been liquidated or pushed out of the country, while state authorities are not incentivized to make their policies and public records transparent and accessible for public oversight.
- Government officials started a new practice of persecuting individuals who make donations to Belarusian solidarity funds, with a focus on IT specialists. Numerous tech-industry insiders reported that the State Security Committee (KGB) formed lists of thousands of people who donated to such funds; the donors were invited to KGB premises for a "conversation," made to confess guilt, and then obliged to pay state-owned charities amounts 10 times greater than the donations made. ¹⁸⁹ Such actions normalize the state practice of extracting money from citizens, which is not even performed in a formally legal

manner (like imposing fines) but done in a closed-door setting, thus failing to protect those individuals from future persecution.

- The practice of authorities to effectively demand ransoms in order to cease state persecution carried on throughout 2022. Top managers of BelVEB bank ¹⁹⁰ and founder and former chair of Priorbank ¹⁹¹ were only released from prison after reportedly paying millions of dollars to the government.
- While Belarusian state officials declare that “the war on corruption is systemic and ongoing,” corruption charges are often used as a tool of political repression against politicians, ¹⁹² journalists, ¹⁹³ and human rights defenders. ¹⁹⁴

Authors: Tatsiana Ziniakova is a legal analyst and human rights defender with Human Constanta. Artyom Shraibman is a political analyst and head of Sense Analytics consultancy, and a nonresident scholar with Carnegie Endowment for International Peace.

Footnotes

- 1 “Belarus and Russia to deploy joint regional military group”, DW, 10 October 2022, <https://www.dw.com/en/belarus-and-russia-to-deploy-joint-regional-milit...>
- 2 “Lukashenko: Belarus was groundlessly dubbed ‘co-aggressor’”, Belta.by, 7 April 2022, <https://eng.belta.by/president/view/lukashenko-belarus-was-groundlessly...>; “EU considers Lukashenka’s regime coaggressor in Russia’s war against Ukraine”, Belsat, 8 March 2022, <https://belsat.eu/en/news/o8-o3-2022-eu-considers-lukashenka-s-regime-c...>
- 3 Anton Mardzilovich, “Тикток, заборы и ленты в волосах. Кого и как преследуют в Беларуси за антивоенную позицию” [TikTok, fences, and ribbons. Who is being persecuted for anti-war speech in Belarus and how?], Mediazona.by, 10 May 2022, <https://mediazona.by/article/2022/05/10/belarusiansagainstwar>; Alesia Rudnik, “Belarus dictator targets anti-war saboteurs with death penalty”, Atlantic Council, 19 May 2022, <https://www.atlanticcouncil.org/blogs/belarusalert/belarus-dictator-tar...>; “In Belarus, a social media post brings 6.5 years in prison”, Washington Post, 9 July 2022, <https://www.washingtonpost.com/opinions/2022/07/09/belarus-social-media...>; “Heads beaten and ribs broken: how police treats anti-war protesters in Minsk”, Viasna, 15 March 2022, <https://spring96.org/en/news/107086>
- 4 “Investigative Committee files criminal case on Kalinoŭski Regiment fighting in Ukraine”, Viasna, 11 October 2022, <https://spring96.org/en/news/109384>
- 5 “В Беларуси завели дело против минчанина, который собирался воевать за Украину. Ему грозит до 5 лет лишения свободы” [In Belarus a criminal case was initiated against a man planning to fight for Ukraine. He is facing up to 5 years of imprisonment], Current Time, 25 August 2022, <https://www.currenttime.tv/a/v-belarusi-zaveli-delo-protiv-minchanina/3...>; “Что может ждать белоруса, вступившего в батальон Калиновского, на родине? Спросили об этом юриста” [What may

await a Belarusian who joined the Kalinouski regiment at home? A lawyer answers], Zerkalo.io, 30 March 2022, <https://news.zerkalo.io/life/11945.html>

More footnotes



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