

Human Rights Center “Viasna”

Human Rights Situation in Belarus in 2021

Analytical review



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SUMMARY

- the presidential election of August 2020 and the unprecedented protests that followed determined the long-term political situation in Belarus;
- violence, repression, demolition of civil society, creation of an atmosphere of fear have become tools to retain power instead of electoral support;
- the country's legal system has demonstrated its inability to protect human rights and freedoms, complete dependence on the current government and has been actively involved in political repression;
- criminal and administrative persecution, arbitrary arrests, dismissals and expulsions have become the main tools for retaining power and repressing opponents, critics of the regime and dissidents;
- as of January 1, 2022, there are 969 political prisoners in Belarus, classified by the country's leading human rights organizations in accordance with the [Guidelines for the Definition of Political Prisoners](#). During the year, the number increased by 800 people. At the same time, more than 100 people earlier listed as political prisoners were released in 2021;
- Viasna knows the names of at least 1,285 persons convicted in politically motivated criminal trials in 2021;
- Viasna is aware of at least 6,443 detainees and at least 3,060 administrative fines imposed for exercising their rights and freedoms, of which 2,186 were terms of administrative imprisonment and 836 were administrative fines;
- last year, the authorities did not conduct a proper effective investigation into the deaths of peaceful protesters Aliaksandr Taraikouski, Henadz Shutau, Raman Bandarenka, Aliaksandr Vikhor and Vitold Ashurak;
- likewise, the authorities did not properly investigate about 5,000 complaints (including more than 100 from minors) requesting investigation and prosecution of perpetrators of torture and other ill-treatment of peaceful protesters and other acts of ill-treatment of peaceful protesters and other persons in police custody, including 680 allegations of torture committed in Minsk detention centers in the immediate aftermath of the August 2020 election, when thousands of detained protesters in Minsk and other cities were deliberately subjected to torture and other cruel, inhuman or degrading treatment. To date, more than 1,000 testimonies of torture victims have been documented by the Human Rights Center "Viasna". Their analysis suggests that the acts of torture were widespread and systemic, and was an organized as a politically motivated punitive action by the authorities to intimidate Belarusian society;
- the authorities continue to actively repress journalists in connection with their professional activities: according to the BAJ, 32 journalists and media workers are currently imprisoned, 113 journalists have been detained, served 29 terms of administrative imprisonment, and subjected to 146 searches during the year;
- nearly all members of the Human Rights Center "Viasna" were subjected to various forms of repression during the year, including arrests and administrative imprisonment. Maryia (Marfa) Rabkova, coordinator of Viasna's network of volunteers, Ales Bialiatski, chairman of Viasna,

Valiantsin Stefanovich, member of the organization's Board, Uladzimir Labkovich, lawyer and coordinator of "Human Rights Defenders for Free Elections", and volunteer Andrei Chapiuk continued to be held in pre-trial detention on trumped-up charges. Leanid Sudalenka, head of Viasna's branch in Homiel, and Tatsiana Lasitsa, a volunteer, were sentenced to three years and two and a half years in prison, respectively. Viasna's human rights activists were searched at least 86 times and interrogated at least 146 times;

- the judiciary became an integral part of the process of repression, ignoring the standards of a fair trial; the bar has lost the features of an independent self-governing institution; lawyers operate under constant pressure, threats and harassment;

- Belarus continues to use the death penalty. One person was sentenced to death in 2021; three to five people were held on death row awaiting execution, at least one of whom was supposedly executed and two were pardoned;

- the political repression of 2021 is by a number of indicators the largest crackdown in the contemporary history of Belarus and testify to the profound crisis of human rights in the country, which led to the international isolation of Belarus and wide sanctions by the EU, the US and the UK. The only response of the authorities to the demands of political transformation in the country from the majority of Belarusian society is the intensification of repressions and the imitation of a nationwide dialogue on the so-called constitutional reform. This government policy continued to intensify the crisis and created preconditions for its further development.

I. INTRODUCTION

In 2021, the socio-political context was determined by the consequences of the situation triggered by the 2020 presidential election. Most of the state apparatus focused on regaining control of the society, which for the most part denied electoral support to Aliaksandr Lukashenka, and overcoming the economic consequences of ill-considered political steps and decisions. Despite designating 2021 as the Year of National Unity, the conflict between the supporters of political and social change and the advocates of the stagnant reactionary regime is steadily deepening and growing. The scarce formal events with the participation of state bodies and pro-government organizations did not replace a true national dialogue involving all stakeholders, an integral condition of which would be the release of all political prisoners, ending politically motivated cases, as well as the investigation of crimes against humanity committed in August 2020 and in the following months, and bringing the perpetrators to justice.

The instruments of repression against opponents and critics of the regime, participants in peaceful assemblies and other protests, as well as individuals who demonstrated political disloyalty to Lukashenka, were criminal and administrative prosecution, arbitrary attacks on people and their homes under the guise of investigative actions on trumped-up charges, torture and inhumane treatment of detainees and prisoners. The country's security services used signature sheets submitted to the electoral authorities in support of independent candidates in the 2020 presidential election, together with the identities of peaceful protesters and other personal information to launch a nation-wide campaign of illegal dismissals.

The rigged election and the unprecedented human rights abuses have led to Lukashenka's international isolation, after EU member states, Great Britain, the United States, Canada and a number of other governments refused to recognize him as legitimately elected president. The

ensuing large-scale human rights violations, repression of the regime's opponents, the forced landing of a Ryanair plane in Belarus and the Belarusian-orchestrated migration crisis on the EU's eastern borders have led to sanctions imposed by the EU, the UK, Switzerland, Norway, the United States, Canada and others targeting Belarusian enterprises and persons involved in the repression and the financing of the regime.

On the other hand, the regime received political support from the authorities of the Russian Federation, which decreased the possibility of constitutional pro-democratic changes in Belarus; the re-adjustment of the country's economic policy partially weakened the impact of Western economic sanctions. The price of such support is an evident drift towards the loss of actual sovereignty of Belarus in the foreign policy, economic and military spheres.

On March 24, the UN Human Rights Council adopted a resolution condemning the actions of the Belarusian authorities before and after the 2020 presidential election. The document expresses "deep concern" over the human rights situation in Belarus and condemns "grave violations of human rights in Belarus in connection with the 2020 presidential election, including the systematic denial of human rights and fundamental freedoms, the arbitrary arrests and detention of opposition members, journalists and media workers, human rights defenders and citizens in general."

On the same day, the International Accountability Platform for Belarus, a coalition of independent human rights organizations, was established to gather, process, verify and preserve evidence of serious human rights violations, including torture, committed by the Belarusian authorities in the run-up to and after the 2020 presidential election.

On September 24, the 48th session of the UN Human Rights Council hosted an Interactive Dialogue on the interim oral update of OHCHR on the situation of human rights in Belarus. UN High Commissioner for Human Rights Michelle Bachelet presented a [statement](#) in which she stressed that the human rights situation in Belarus in 2021 continued to deteriorate.

35 OSCE participating States agreed to invoke the Vienna Mechanism in connection with serious human rights violations in Belarus. The decision was prompted by the deteriorating situation, the failure of the Belarusian authorities to comply with the recommendations of the report under the Moscow Mechanism and the OSCE proposals to resolve the crisis. A corresponding letter was sent to Belarus's Permanent Representative to the OSCE.

Meanwhile, at the end of the year, the rhetoric of the authorities on constitutional reform became clearer: the published draft Constitution, as amended, provides for a de facto abandonment of the principle of separation of powers, the endowment of the All-Belarusian People's Assembly, a body to be created on an opaque, undemocratic basis, with important functions, the political immunity for Lukashenka and other dubious provisions from the point of view of human rights.

II. POLITICALLY MOTIVATED CRIMINAL PROSECUTION AND POLITICAL PRISONERS

In 2021, criminal prosecution remained the key type of repression in Belarus. The Human Rights Center "Viasna" knows the names of 1,285 people convicted in politically motivated criminal trials during the year, with a total of 1,380 persons convicted in connection with protest activities. On September 30, first deputy chairman of the Investigative Committee Aleh Shandarovich said

that since August 9, 2020, the authorities have identified more than 5,000 “crimes related to protests”. Of these, about 3,300 in the first nine months of 2021. Cases related to “extremism” and “protest activities” accounted for 5.5% of the total number of criminal cases, with actual violence committed in less than 3% of crimes in this category.

The most widespread were criminal cases against participants in street protests. In total, according to Viasna’s estimates, after the 2020 presidential election, at least 421 people have been convicted under Art. 342 of the Criminal Code for “organizing and preparing actions that grossly violate public order,” or “active participation” in them; 182 – for “organizing and financing of mass riots, participation in them and preparation of persons for participation in them”; more than 500 for defamation crimes against Lukashenka, government officials, judges and police officers; 37 — under Art. 130 of the Criminal Code for “inciting social hatred” (against government officials), and 65 — under Art. 370 of the Criminal Code for “insulting state symbols”. About 220 cases related to “violence or threats of violence against government officials”.

The Human Rights Center “Viasna” is aware of 580 people sentenced to imprisonment in a colony or prison (11 of them are minors), 370 to imprisonment in open penitentiaries, 369 to home confinement, and 34 to short terms of criminal imprisonment. Thus, the punishment of more than 71% of the political convicts involved actual imprisonment.

In late December, the authorities said that they opened two criminal cases under the new Art. 342-2 of the Criminal Code for “repeated violations of procedures for organizing or holding mass events”.

During the year, politically motivated criminal cases on charges of “treason”, “conspiracy or other acts committed to seize state power”, “calls to actions aimed at harming the national security of the Republic of Belarus”, “creating an extremist group”, and “terrorism” were investigated. Persons involved in these cases were sentenced to excessively severe punishments.

In May, army Captain Dzianis Urad was [sentenced](#) to eighteen years in prison on treason charges for leaking information about the involvement of the Defense Ministry in suppressing protests.

On September 6, members of the Presidium of the Coordinating Council were sentenced in Minsk: Maksim Znak to ten and Maryia Kalesnikava to eleven years in a penal colony. Both were accused of “conspiracy to seize state power”, “public calls to seize state power”, and “creating an extremist formation”.

On December 14, six political prisoners were sentenced in Homiel. Siarhei Tikhanouski was sentenced to 18 years in prison, Mikalai Statkevich to 14 years, Ihar Losik to 15 years, Dzmitry Papou to 16, Artsiom Sakau to 16 years, and Uladzimir Tsyhanovich to 15 years for organizing “mass riots” before and during the presidential election of 2020, “incitement to social hatred” and “obstruction of the work of the Central Election Commission”.

On December 17, political prisoner Eduard Palchys was convicted in Minsk City Court. The blogger was sentenced to 13 years in prison for “organizing mass riots”, “actions that grossly violate public order”, “inciting social hatred” and “calls for actions aimed at harming the national security of the Republic of Belarus”.

On December 22, anarchists Dzmitry Dubouski, Dzmitry Rezanovich, Ihar Alinevich, and Siarhei Ramanau were convicted by the Minsk Regional Court for setting fire to police cars, the buildings

of a road police inspection and the State Forensic Committee's office in Homieĺ. Alinevich and Ramanau were sentenced to 20 years, Rezanovich to 19 years, and Dubouski to 18 years in prison.

On December 27, the Minsk City Court announced a verdict in a criminal case against Yegor Dudnikov. The Russian national was sentenced to 11 years in prison for "inciting hostility" and "calling for actions aimed at harming the national security of Belarus".

In 2021, the list of organizations and individuals allegedly involved in "terrorist activities" featured 42 new names. The inclusion of a number of politicians and public figures in this list testifies to the politically motivated nature of the decisions.

In the spring, the legislation of Belarus was amended to expand and toughen the responsibility for various types of protest activities. The new amendments legalized many of the questionable approaches routinely used by the authorities to crack down on protesters and dissidents. In particular, the changes affected laws on counteracting extremism, on mass media and mass events, on martial law and state of emergency, the Criminal Code, etc. In addition, a new bill was passed to prevent the "rehabilitation of Nazism".

Members of the opposition Coordination Council continued to face new criminal charges. In 2021, the authorities said that it opened new cases against Sviatlana Tsikhanouskaya and Pavel Latushka.

Of particular concern is the criminal prosecution of journalists. According to the BAI, 32 journalists and media workers were [imprisoned](#) in 2021 on various trumped-up charges.

Repression against human rights activists continued. During the year, offices of numerous human rights groups and homes of human rights defenders were repeatedly searched, and IT equipment, money and printed materials confiscated.

In particular, almost all members of the Human Rights Center "Viasna" and many volunteers faced persecution for their human rights activities: during the year they were targeted in at least 86 searches, and Viasna human rights activists were interrogated at least 146 times.

Maryia (Marfa) Rabkova, coordinator of Viasna's network of volunteers, Ales Bialiatski, chairman of Viasna, Valiantsin Stefanovich, member of the organization's Board, Uladzimir Labkovich, lawyer and coordinator of "Human Rights Defenders for Free Elections", and volunteer Andrei Chapiuk continued to be held in pre-trial detention on trumped-up charges. Leanid Sudalenka, head of Viasna's branch in Homieĺ, and Tatsiana Lasitsa, a volunteer, were sentenced to three years and two and a half years in prison, respectively.

Several other members of Viasna were called suspects in a criminal case and were detained for up to three days.

During a nation-wide attack on human rights activists and journalists on February 16, riot police and GUBAZIK officers stormed the house of Viasna human rights defender Dzmitry Salauyou to search it and confiscate IT equipment. The raid was prompted by a case under Art. 342 of the Criminal Code. The human rights activist was detained after the search. He was beaten after arrest and during his transportation to a detention center.

Siarhei Drazdouski, head of the Office for the Rights of Persons with Disabilities, and Aleh Hrableuski, the organization's legal adviser, were detained under house arrest and in pre-trial

prison, respectively, for more than three months on charges of fraud. The charges stemmed from the payments the Office made to cover the services of lawyers for people persecuted during the 2020 protests. After the human rights activists were released, both were forced to leave Belarus fearing imminent imprisonment.

Thus, 2021 was marked by the largest wave of repression in the contemporary history of Belarus. In particular, the continuation of politically motivated criminal prosecution led to the emergence of 800 new political prisoners during the year, after the country's leading human rights organizations classified them in accordance with the [Guidelines for the Definition of Political Prisoners](#). In 2021, the number increased to 969 people, while more than 100 earlier political prisoners were released during the year.

According to estimates by Viasna's network of volunteers, in 2021, at least 6,443 people were detained for political reasons, a third of them women and 19 minors; more than 70% of arrests took place in Minsk, 10 — in Brest and the region, more than 4% — in the Minsk region, less than 4% — in Viciebsk and the region, and 3% — in other regions. The courts considered at least 3,211 administrative cases, in which more than 830 fines and 2,170 terms of administrative imprisonment were imposed.

III. RIGHT TO LIFE. THE ISSUE OF THE DEATH PENALTY

At least two protesters, Aliaksandr Taraikouski in Minsk and Henadz Shutau in Brest, were killed by security forces during the crackdown on peaceful protests against election fraud in August 2020. Aliaksandr Vikhor died in Homieĺ immediately after arrest in the absence of timely medical care. On November 11, 2020, Raman Bandarenka was beaten and arrested by unknown individuals in Minsk; on the night of November 12, he was taken to a police station and then to hospital, where he soon died of severe injuries. The authorities did not take effective steps to investigate all of these cases, and those responsible for the deaths were not brought to justice.

Political prisoner Vitold Ashurak died on May 21 in penal colony No. 17 in Škloŭ. Video footage and information released by the Investigative Committee suggest that the death of the political prisoner was preceded by several head injuries, after which he did not receive proper medical care. No investigation was not conducted in this case either.

On the night of May 26 in Minsk, Dzmitry Stakhouski, an 18-year-old involved in a criminal case of "mass riots" of August 9-11, 2020, committed suicide by jumping off a 16-storey building. The man left a suicide note in a post on the VKontakte social media explaining his act by the criminal charges and pressure from the Investigative Committee. On the same day, the Investigative Committee said that there were no violations, without waiting for the completion of an investigation into Stakhouski's death.

During a "special operation" conducted by security forces on September 28 (when Interior Ministry and KGB officers reinforced by anti-terrorist and other special units break into the homes of citizens suspected of involvement in protests, search the premises and confiscate equipment and money, often arresting or beating everyone present), Andrei Zeltser, the owner of an apartment in Minsk, met the attackers in plainclothes by firing his hunting gun, fatally wounding a KGB agent, and was killed by return fire. Zeltser's wife Maryia Uspenskaya was arbitrarily arrested on suspicion of complicity in the murder.

The KGB called Zeltser a “particularly dangerous criminal,” and as early as the following morning the Prosecutor General’s Office said that an internal investigation found no violations as to the use of weapons by the KGB officers. The Investigative Committee opened a criminal case on charges of murdering the KGB officer. The initial official position alleging that the apartment was raided in search of “persons involved in terrorism” was replaced by statements saying that the security forces had a legitimate goal, i.e. to conduct a search authorized by the prosecutor, which allows breaking the locks and doors.

People who publicly approved of Zeltser’s act and criticized the security forces were accused of “inciting hatred” and taken into custody. According to provisional data, it could have affected more than a hundred people.

Alena Amelina died from the coronavirus after serving a term of administrative imprisonment in a detention facility in Minsk. She was detained on administrative charges in April and September 2021. Nasha Niva journalist Katsiaryna Karpitskaya, who shared the cell with Alena, said that the inmate became “very sick in just one day.” “She was almost lying like a dead body under the bunks. We forced her to eat something. All this was treated with paracetamol and, when she was too sick, with antibiotics. After prison, Alena was on a ventilator, but never pulled through,” the journalist said.

The death penalty is still in force in Belarus. In 2021, the death sentence of Viktor Skrundzik was re-issued and became final. Earlier, after an appeal, the verdict was overturned by the Supreme Court and the case was heard in a new trial. Skrundzik is currently being held on death row in pre-trial prison No. 1 and is awaiting execution. Two more death row prisoners, Viktor Paulau and Viktor Serhel, were held there in 2021. There are grounds to believe that either Paulau or both convicts have already been executed.

In April, the death sentence of Illia and Stanislau Kostseu was commuted to life imprisonment. This is the second known case of death convicts being pardoned during the history of independent Belarus.

On September 7, the UN Human Rights Committee published its decision in the case of Aliaksei Mikhalenia, who was executed in May 2018. The Committee concluded that Mikhalenia’s right to life was violated under article 6 of the Covenant on Civil and Political Rights because he was sentenced to death as a result of an unfair trial. The complaint was submitted to the Committee in January 2018 by Mikhalenia’s father and was prepared by the coordinator of the campaign [“Human Rights Defenders Against the Death Penalty in Belarus”](#) Andrei Paluda. At the time of filing, Mikhalenia was on death row awaiting execution, and was eventually executed, despite a request from the Committee to stay his execution while his complaint was being considered. Earlier, the UN Committee issued similar decisions in the cases of several other death row prisoners in Belarus.

IV. RESTRICTIONS ON FREEDOM OF PEACEFUL ASSEMBLY

Last year, the opposition and supporters of pro-democratic changes in Belarus did not hold a single mass event allowed by the authorities. All attempts to hold spontaneous events were brutally suppressed. Many detentions took place on Freedom Day in March and on April 26, the day of the annual demonstration *Čarnobyłski šliach* (“Chernobyl Way”).

The current legislation and practice of Belarus violates and arbitrarily restricts the freedom of peaceful assembly and freedom of expression. There is no rule in the law on the presumption in favor of exercising the right to peaceful assembly; the process of obtaining permission to hold mass events, including a one-person picket, continues to be associated with excessive demands and restrictions, as well as significant costs. The notification procedure for holding some types of peaceful assemblies was abolished by amendments to the law on mass events.

The previous legislative prohibitions were supplemented by a ban on the collection, receipt and use of funds, other property and rights, as well as the performance of works, the provision of services to reimburse the costs of administrative convictions for violating protesting procedures, together with a prohibition on coverage “in the media, the global computer network Internet or other real-time information networks (broadcasted live) of mass events held in violation of the established procedure for their organization or holding, aimed at their popularization or propaganda”.

The Code of Administrative Offenses has been amended to significantly increase the severity of penalties for violating the rules of organizing and holding mass events: the maximum fine has tripled to 200 basic units (about 2,000 euros), and for repeated violations of organizing or holding mass events the new provision sets a special length of administrative imprisonment – from fifteen to thirty days.

Under the amended law on countering extremism, public calls to organize or hold “illegal gatherings, rallies, street marches, demonstrations or pickets in violation of the established order of their organization or holding” may be arbitrarily classified as extremism.

Some participants in mass events are subject to lengthy imprisonment (two, three months or even longer). The courts, taking advantage of the shortcomings of the law, impose several consecutive penalties.

Persecution of participants in peaceful assemblies is not limited to administrative sentences, as many were fired or expelled from educational institutions.

V. VIOLATIONS OF FREEDOM OF EXPRESSION

Any forms of expression of alternative beliefs are severely and arbitrarily restricted and suppressed by the authorities. The law on mass events still applies to such forms of expression as displaying flags and symbols, including in private territories and homes: those who use national white-red-white insignia and color combinations that have become a symbol of protest have been subject to heavy fines and lengthy terms of administrative imprisonment.

Anti-extremism legislation is also arbitrarily used to restrict freedom of expression: courts issue carbon-copy decisions to pin the “extremist” label on media content posted on various online resources. In 2021, several of the country’s leading news sites were banned, including tut.by, belsat.eu, belaruspartisan.by, as well as more than 450 accounts in social media and Telegram channels of socio-political nature. Sharing a link to any of these publications labelled as “extremist” leads to administrative liability. In 2021, the courts imposed at least 43 administrative fines and at least 104 terms of administrative imprisonment on these charges.

Emblematic was the case of Siarhei Krupenich and Anastasiya Krupenich-Kandratsiyeva, husband and wife [arrested](#) in mid-July and administratively imprisoned nine times in a row for exchanging

in personal messages links to publications that the authorities banned as “extremist”. As a result, they spent more than three months in prison – 126 and 127 days, respectively.

On December 22, the Investigative Committee completed the investigation into the criminal case against artist Ales Pushkin. It was established that Ales Pushkin “performed and made publicly available portraits of accomplices of Nazi criminals portrayed as Belarusian patriots and heroic figures. He portrayed Michał Vituška, the main organizer of the mobile units of the occupation auxiliary police, which operated in the rear area of the German army group Center in occupied Belarus, formed from among Belarusian nationalists, and Usiewaład Rodźka, the mayor of Viciebsk who collaborated with the Nazis and was recruited by the Abwehr”. In addition, “during an exhibition in Hrodna, Pushkin publicly displayed a portrait of Yauhen Zhykhar, who since 1946 led a detachment of former Hilfspolizei officers.”

Ales Pushkin is charged under Part 3 of Art. 130 (intentional actions to rehabilitate Nazism, committed by a group of individuals) and Art. 370 (insulting the state symbols) of the Criminal Code.

VI. RESTRICTIONS ON FREEDOM TO DISTRIBUTE INFORMATION, PERSECUTION OF JOURNALISTS

During the year, several dozen journalists, bloggers, and media workers were arrested, searched, and prosecuted.

A case on tax evasion charges has been filed against officials of one of the largest independent media outlets in Belarus, the portal tut.by. The site was blocked by a decision of the Ministry of Information. Thirteen journalists and other editorial staff were arrested on May 18 and are still in custody or under house arrest. These include Maryna Zolatava, Volha Loika, Liudmila Chekina, and Alena Talkachova.

On July 8, Nasha Niva editor-in-chief Yahor Martsinovich and head of the outlet’s advertising and marketing department Andrei Skurko were arrested and later imprisoned on suspicion of a crime.

Searches took place on August 18 in the news rooms of the BelaPAN news agency; director and editor-in-chief Iryna Leushyna and former director Dzmitry Navazhylau were arrested and placed in pre-trial detention.

These and other journalists and media workers are recognized as political prisoners; their arrests are aimed at annihilating independent journalism and narrowing the information space in Belarus.

In addition, a number of prominent bloggers have been sentenced to various terms of imprisonment for exercising their freedom of speech.

In particular, on April 14, Siarhei Piatrukhin and Aliaksandr Kabanau were sentenced to three years in prison each on charges of “organizing and preparing actions that grossly violate public order”. On February 2, Uladzimir Niaronski was sentenced to the same term on a similar charge.

In December, Artsiom Sakau, videographer Siarhei Tsikhanouski’s YouTube channel “A Country for Living”, and social media moderator of his project Dzmitry Papou were sentenced to 16 years in prison each; the author of a YouTube channel called MozgON, Uladzimir Tsyhanovich, and Ihar

Losik, who ran the popular Telegram channel Belarus Golovnogo Mozga, were each sentenced to 15 years in prison on trumped-up charges.

Similarly, blogger Eduard Palchys was sentenced to 13 years in prison.

Authorities have classified several media outlets as “extremist groups”. On November 1, the KGB ordered to add the BelaPAN to the list of organizations, formations, and individual entrepreneurs involved in extremist activities. On November 3, the Interior Ministry labelled as “extremist” a group of people united through Belsat’s online resources. On December 23, the Interior Ministry issued a similar decision outlawing the Internet resources of Radio Svaboda, RFE/RL’s Belarus service.

Such decisions put journalists and employees of these media outlets at risk of criminal prosecution.

VII. TORTURE AND CRUEL, INHUMAN OR DEGRADING TREATMENT

The Belarusian authorities have not properly investigated about 5,000 complaints, including more than 100 from juveniles, requesting investigation and prosecution of perpetrators of torture and other ill-treatment of peaceful protesters and other acts of ill-treatment of peaceful protesters and other persons in police custody, including 680 allegations of torture committed in Minsk detention centers in the immediate aftermath of the August 2020 election, when thousands of detained protesters in Minsk and other cities were deliberately subjected to torture and other cruel, inhuman or degrading treatment.

To date, more than 1,000 testimonies of torture victims have been documented by the Human Rights Center “Viasna”. In 2021, Viasna interviewed more than 320 victims of torture; among the victims of ill-treatment 24% are women, and 76% are men. 102 people fell victim to such treatment in 2021. An analysis of the obtained data suggests that torture and ill-treatment are still [widespread and systemic](#) and constitute an organized and politically motivated punitive action by the authorities to intimidate Belarusian society.

Complaints of victims of torture and ill-treatment in 2021 were considered by the authorities superficially, beyond criminal proceedings or proper investigative actions. Most decisions rejecting torture allegations lacked information about the police officers involved, while the alleged perpetrators of torture were not questioned in order to “protect the honor, dignity and professional reputation, as well as the security of police officers.” Actions to locate the traces of crimes and document evidence of torture are clearly insufficient. Victims are not allowed to access copies of relevant documents or face apparent red tape.

The authorities continue to create particularly harsh conditions of detention in prisons holding political prisoners, detention centers and pre-trial prisons for political prisoners arrested and detained for political reasons. They are arbitrarily registered as “offenders”, placed in punishment cells, subjected to provocations, restricted in receiving meals, outdoor time and kept in unsanitary conditions. Prisoners in the detention centers of Minsk are exposed to inhuman conditions in overcrowded cells, denied access to bedding, including mattresses and pillows, toothbrushes and other necessities, sufficient water, outdoor time and other detention guarantees. They often have to share cells with homeless people who have not been sanitized,

infected with parasites, and prison authorities do not respond to symptoms of the coronavirus. Their imprisonment is bordering on politically motivated torture.

In particular, on November 1, the families of persons arrested for commenting on the “Zeltser case” said that the administration of the Žodzina-based prison No. 8, which accommodated the detainees, introduced a covid-19 quarantine, which resulted in severe restrictions for the prisoners. According to the families, the new rules applied only to those who were detained for commenting online. The political prisoners were not allowed to receive food parcels, some were not allowed to see their lawyers. As a result, the inmates spent over four weeks wearing the same clothes, without access to toiletry or warm clothes. On November 4, Viasna wrote to several UN Special Rapporteurs on the issue of ill-treatment of detainees in the “Zeltser case”. Anaïs Marin, UN Special Rapporteur on the situation of human rights in Belarus, Nils Melzer, Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, Irene Khan, Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, and the UN Working Group on Arbitrary Detention were alerted to the facts of cruel and inhuman treatment of the detainees after arrest and in prison. On November 15, the families of prisoners learned that the quarantine in the Žodzina prison had been lifted.

Impunity for crimes provokes new cases of ill-treatment and torture.

In March, Vadzim Dzmitranok told the Centralny District Court of Minsk that he had been tortured by police officers, who hit him in various parts of his body and gassed him with pepper spray. After a lawyer intervened, the man was taken to hospital. A video released by the police shows traces of beatings on the victim’s face and the general condition of the detainee after being exposed to humiliating treatment.

Kirył Paulavets said during a hearing at the Saviecki District Court of Minsk that after his arrest he was ordered to unlock the screen of his smartphone. “They asked for the password, and then I was taken to another office and beaten. Then they forced me to sign a statement,” the victim said.

Yauhen Barouski, Ivan Zianko, and Aliaksei Droba complained about being tortured when testifying at the Frunzienski District Court. Police officers reportedly beat and threatened to rape them.

On June 1, political prisoner Stsiapan Latypau attempted suicide in the courtroom, after complaining about being tortured by security officers.

In July, anarchist Mikalai Dziadok testified in court, saying that he was [tortured](#) by GUBAZIK officers who attempted to extort confession. His poor condition after the arrest was recorded on video. No measures have been taken against the perpetrators of violence and torture, and no investigation into Dziadok’s complaint has not been conducted.

Pursuing an apparent policy of defying the law, the authorities ostentatiously refuse to investigate these and other allegations of torture. In particular, despite efforts by the defendant and the defense counsel, political prisoner Volha Zalatar was not examined by doctors after she argued that she was tortured by police officers, and no criminal case was opened to investigate the allegations, despite the presence of evidence that contradicted the opinion of a court-appointed expert.

VIII. VIOLATIONS OF FREEDOM OF ASSOCIATION

On April 10, Foreign Minister of Belarus Uladzimir Makei said that any further tightening of sanctions against Belarus would lead to the annihilation of the country's civil society. This statement by the top official was rightly perceived as a direct threat of persecution and pressure for non-governmental organizations.

On July 14, officers of the Interior Ministry and the Department for Financial Investigations searched the offices of several parties and NGOs, together with the homes of human rights activists and politicians. In particular, they raided the offices of the Belarusian Helsinki Committee, the Movement "For Freedom", the Human Rights Center "Viasna", and Human Constanta. In total, more than 40 NGOs were targeted in searches in July.

On July 22, the Belarusian PEN Center was notified that the Ministry of Justice had filed a liquidation lawsuit, and on August 9, the Supreme Court ruled to dissolve the NGO. On July 23, the authorities announced the liquidation of dozens of NGOs, including a charity project "Imena", Press Club Belarus, human rights organizations Human Constanta, Lawtrend, Office for the Rights of Persons with Disabilities, as well as the Belarusian National Youth Council "Rada", the Center for European Studies, and the Office of European Expertise and Communication.

On August 27, the Belarusian Association of Journalists was liquidated by the Supreme Court. On October 1, the Supreme Court published its decision to dissolve the Belarusian Helsinki Committee, and on October 5, another well-known Belarusian human rights organization, Legal Initiative, was liquidated.

On October 8, the Supreme Court liquidated the opposition campaign "Tell the Truth", and on November 19, the Movement "For Freedom" was officially closed.

To date, at least [304 NGOs](#) have been liquidated or are being liquidated, and 194 more NGOs have opted for voluntary dissolution, often under pressure from the registration authority.

Against this background, at the end of the year the House of Representatives passed a bill to re-enforce the notorious Article 193-1 of the Criminal Code, which provides for liability for participation in unregistered or liquidated parties or public associations. The rule was earlier revoked after heavy criticism from the public and international organizations.

Last year, the authorities brutally shut down various informal civic initiatives. In particular, Volha Zalatar was arrested in March for activities related to the creation and operation of a neighborhood chat called "Ždanovičy 2020 – Tsoi Amateurs Club". The chat was declared an "extremist formation" in October 2021, and on November 30 Zalatar was sentenced to four years in prison for "creating an extremist formation" and "organizing and preparing actions that grossly violate public order".

Since October 18, when the official "list of extremist groups" was published on the website of the Ministry of Internal Affairs, more than 30 groups of citizens were blacklisted for being members of various Telegram groups and social media communities or contributing to the activities of news sites. As a result, participation in the activities of these groups will lead to imprisonment. Decisions to recognize the listed groups as "extremist" were made solely for political reasons in violation of freedom of association.

IX. FAIR TRIAL STANDARDS. PRESSURE ON LAWYERS

The situation with the standards of a fair trial was a direct aftermath of the final transformation of the judiciary into an instrument of repression. Human rights activists, lawyers and experts have exposed a profound crisis in the justice system of Belarus in the second half of 2020. In 2021, judges continued to unconditionally and proactively fulfill their role in the conveyor belt of lawlessness; court proceedings in politically motivated cases have lost the last traits of justice.

Judges fail to respond to allegations of torture, do not suspend proceedings until allegations of torture are investigated, and justify convictions with evidence obtained through torture.

All the most voluminous and significant politically motivated cases, with the exception of the criminal case of Viktor Babaryka and other employees of Belgazprombank, were heard behind closed doors. Closed court hearings deprived the defense of the opportunity to speak openly in public about the circumstances of the case, share arguments in defense of the accused or assess the prosecution's evidence. Among others, closed hearings were ordered in the trials of Maksim Znak and Maryia Kalesnikava, Siarhei Tsikhanouski, Mikalai Statkevich and others, Leanid Sudalenka and Tatsiana Lasitsa, Ihar Alinevich and others.

State-controlled propaganda resources regularly publish information violating the presumption of innocence. There are also regular publications with video confessions featuring "repentant" protesters. These videos are convincing evidence of violations of the procedural rights of detainees, and often contain evidence of torture and other ill-treatment.

The right to unimpeded access to lawyers is still being violated. These abuses are often committed under the guise of anti-coronavirus measures. However, the analysis of the situation as a whole gives grounds to conclude that the procedural rights of detainees and prisoners are arbitrarily restricted en masse.

Volunteers working with the Human Rights Center "Viasna" monitored politically motivated criminal trials, collected information on this category of cases for analysis in terms of compliance with international human rights standards and informing the Belarusian public and the international community about the human rights situation in the country. In April, Viasna published a report entitled ["Criminal Prosecution for Political Reasons. Belarus 2020-2021"](#). The report was based on monitoring more than 150 criminal trials. Another report, ["Politically Motivated Administrative Proceedings: Standards and Reality in Contemporary Belarus"](#), analyzed data received from 44 observers covering 590 court hearings in administrative cases in 17 courts of Belarus, as well as data obtained from more than 600 persons detained on administrative charges in 38 cities of Belarus.

Lawyers are deprived of the opportunity to perform their duties in an environment of freedom and absence of pressure. During the year, more than 30 lawyers were convicted or arbitrarily expelled from the profession.

On September 6, lawyer Maksim Znak was sentenced to 11 years in prison for his role on the presidium of the Coordination Council, a body set up by the opposition to overcome the political crisis and ensure consensus in society, as well as to defend sovereignty and independence. The criminal prosecution of lawyer Illia Salei, who was forced to leave the country, continues.

Together with other lawyers, Znak and Salei defended and represented the interests of Viktor Babaryka, one of the main contenders for the presidency in the 2020 election.

Lawyers Liudmila Kazak, Kanstantsin Mikhel, Maksim Konan, Mikhail Kiryliuk, Siarhei Zikratski, Uladzimir Sazanchuk, Volha Baranchyk, Barys Liaskouski, Uladzislau Filipovich, Siarhei Pichukha, Andrei Bartashevich, Alena Shynkarevich, Hanna Vauchynskaya, Sviatlana Khalalovich, Mikhail Badnarchuk, Andrei Machalau, Dzmitry Layeuski, Anton Hashynsku, Katsiaryna Zhaltanoha, Volha Karpushonak, Yauhen Maslau, Yuliya Kniaz, Andrei Tsialehin, Natallia Matskevich, Yauhen Pylchanka, Iryna Varankova, Ihar Petrashevich, Aliaksei Keral, Dzmitry Lazavik, Natallia Aliakseyeva, Natallia Vantsovich, Lizaveta Matveyeva and a number of other lawyers were [deprived of the opportunity to continue their activities](#) at various times during the year. The actual grounds for this were their public and political views and activities, the exercise of rights and freedoms, including by involvement in politically motivated cases. The self-government bodies joined the authorities in the campaign to persecute lawyers.

As a result of hastily adopted changes in the law on lawyers, counsels can only carry out their activities as part of legal advice firms, and cannot elect their own self-governing bodies. The dependence of the bar on the executive branch on various aspects of its activities has become even stronger, and total control over the lawyers' self-government bodies has reached a new level, depriving the bar of the remnants of independence and self-government.