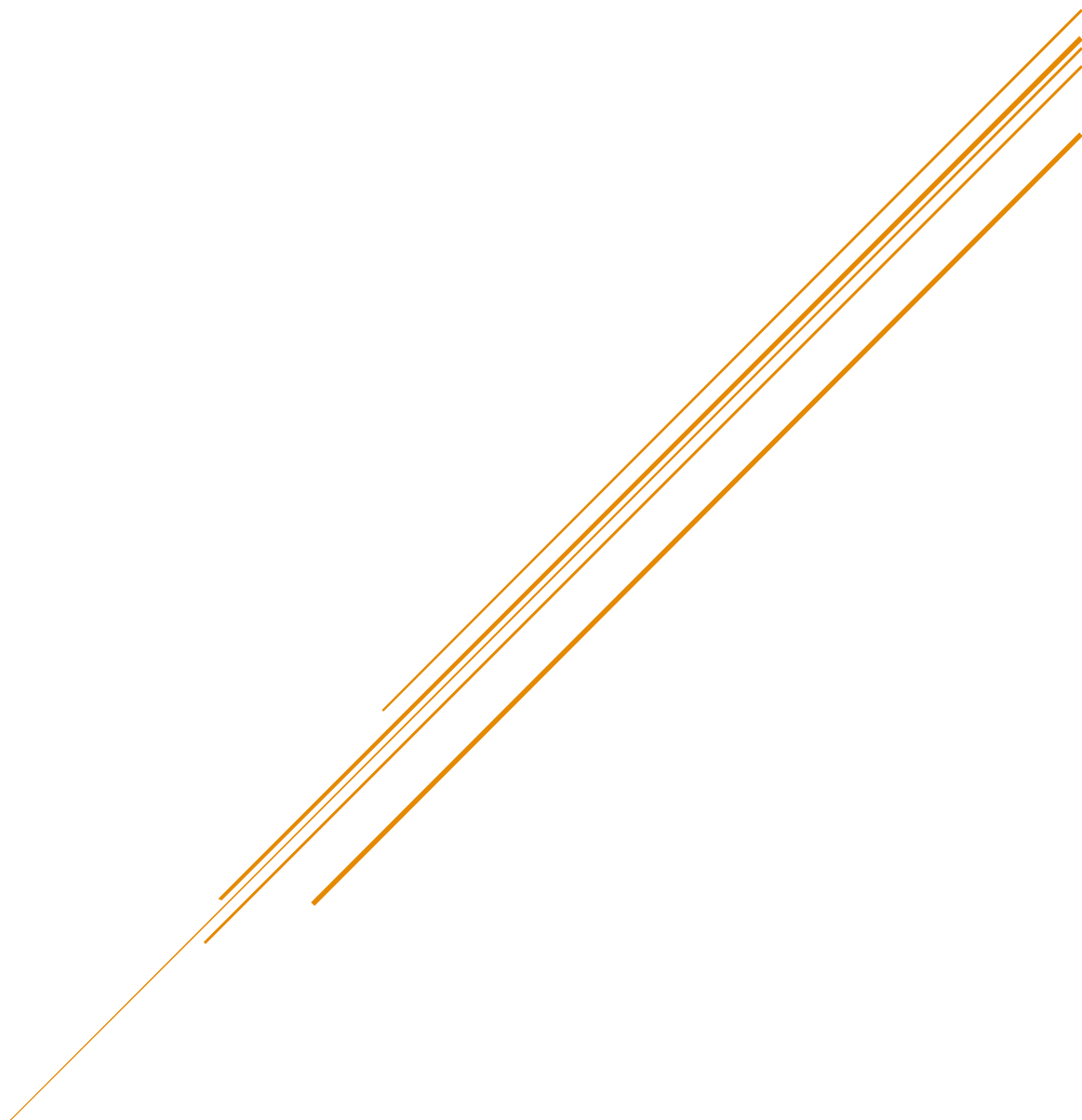


Belarusian Women Human Rights Defenders and Civil Activists:

Specifics of Persecution and New Conditions.



INTRODUCTION

Women human rights defenders and civil activists contribute to protection and promotion of human rights in Belarus, and not only of gender agenda. Like all human rights defenders, they are harassed by the authorities. But they as well face gender-based problems due to the fact that they are persecuted not only because of their work, but also because of their identity.

Discrimination against women, including gender-based violence, is a problem of Belarusian society. The concept of discrimination against women, as defined in Article 1 of the Convention on the Elimination of All Forms of Discrimination against Women, includes gender-based violence (i.e., "violence that is directed against a woman because she is a woman or that affects women disproportionately") and such discrimination constitutes a violation of women's human rights¹.

The political crisis and repression following the 2020 presidential election greatly affected women human rights defenders and civil activists, particularly in relation to their rights to freedom of assembly, association, and expression. Many have been subjected to intimidation, arbitrary detention, inhuman and degrading treatment, etc. The fact that women in Belarus tend to have the primary care of children and elderly relatives makes them more vulnerable than men. Liquidation of organizations whose purpose was to protect and promote women's rights has become a form of persecution of women active in civil society and has also deprived them of an effective tool to receive assistance.

Women human rights defenders and civil society activists have had to act in the face of discrimination, stigmatization, lack of understanding by their loved ones, and specific threats (such as sexual bullying or slander based on perception of social norms related to gender or sexuality).

Moreover, women human rights defenders and civil activists are more subject to intersecting discrimination than their male colleagues - this is the discrimination on various grounds combined with a gender factor.

Disasters and conflicts negatively and disproportionately affect women. At the same time, women are often the first to help others and are responsible for the well-being of their families and communities.

Lawtrend conducted this research to identify the specifics of persecution of women human rights defenders and civil activists in Belarus in the context of their exercise of civil rights in the aftermath of the 2020 presidential elections. This should allow to identify and analyze the specific risks, challenges, and restrictions they face in order to understand and take into account how women involved in civic activism suffer in the broader contexts of violence and discrimination in Belarus, and in turn to contribute to better developing strategies and mechanisms to protect and support Belarusian women human rights defenders and civil activists.

METHODOLOGY

This study is based on the results of polling of 83 Belarusian women human rights defenders and civil

¹ General recommendation of the Committee on the Elimination of Discrimination against Women No. 19 (Eleventh session, 1992): Violence against women, <https://www.un.org/womenwatch/daw/cedaw/recommendations/recomm.htm>

activists on their situation in the period from 9 August 2020 (the day of the last presidential election in the Republic of Belarus, which marked the beginning of an acute political crisis) to 14 November 2022.

It is important to take into account that some women exercise the rights set out in the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms (Declaration on Human Rights Defenders)² without identifying themselves as human rights defenders; some of them deliberately avoid mentioning that their activities are related to human rights for their own safety and organize their work in another way. Nevertheless, they are subject to the following guarantees of rights and freedoms in the course of their human rights activities.

The study also refers to the data from the Human Rights Center *Viasna* monitoring³ and from the study "Reprisals against non-profit organizations engaged in support, promotion, and protection of women's rights and gender equality in Belarus and female civil society activists" conducted by *Lawtrend* in 2021⁴.

NORMATIVE FRAMEWORK

The Republic of Belarus is a party to international agreements guaranteeing equal rights for women and men, in particular the International Covenant on Civil and Political Rights⁵, the International Covenant on Economic, Social and Cultural Rights⁶, the Convention on the Elimination of All Forms of Discrimination against Women⁷ and several others. The convention obliges states to take all necessary measures to eliminate discrimination against women in political and public life, as well as all negative practices based on the idea of inferiority or superiority of one of sexes, or on stereotyped roles of men and women.

UN member states also committed to protecting human rights defenders and ensuring an enabling environment for their work in the absence of intimidation and pressure in the 1998 UN Declaration on Human Rights Defenders⁸. In 2013, the UN General Assembly adopted, by consensus, a specific resolution on the protection of women human rights defenders⁹, expressing concern about the discrimination and violence they face and calling on states to protect them and support their work, namely:

² Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, adopted by General Assembly resolution 53/144 of 9 December 1998, <https://www.ohchr.org/en/instruments-mechanisms/instruments/declaration-right-and-responsibility-individuals-groups-and>

³ (*Viasna*), <https://prisoners.spring96.org/ru#list>

⁴ (*Lawtrend*), Repression against non-profit organisations and civil society activists involved in supporting, promoting, and protecting women's rights and gender equality in Belarus, <https://www.lawtrend.org/freedom-of-association/repression-against-non-profit-organisations-and-civil-society-activists-involved-in-supporting-promoting-and-protecting-women-s-rights-and-gender-equality-in-belarus>

⁵ International Covenant on Civil and Political Rights, 16 December 1966, <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-civil-and-political-rights>

⁶ International Covenant on Economic, Social and Cultural Rights, 16 December 1966 <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-economic-social-and-cultural-rights>

⁷ Convention on the Elimination of All Forms of Discrimination against Women, 18 December 1979, <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-elimination-all-forms-discrimination-against-women>

⁸ Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, adopted by General Assembly resolution 53/144 of 9 December 1998, <https://www.ohchr.org/en/instruments-mechanisms/instruments/declaration-right-and-responsibility-individuals-groups-and>

⁹ Promotion of the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms: protecting women

- Recognize women human rights defenders and their work;
- Ensure the participation of women human rights defenders by protecting them, respecting and supporting their work, condemning and preventing violations and abuses as well as violence and discrimination against women human rights defenders, and creating a safe and enabling environment for gender-sensitive human rights protection;
- Ensure the participation of women human rights defenders in public life, including peaceful protests;
- Increase and systematically document human rights violations;
- Protect women human rights defenders (and their families and loved ones) and prevent harassment, intimidation or reprisals against them for cooperating with international or regional institutions;
- Ensure that the promotion and protection of human rights do not become a pretext for criminal prosecution;
- Involve women in common efforts to promote peace and security;
- Ensure gender-sensitive remedies for women human rights defenders whose rights have been violated, extending protection measures to their families as well;
- Combat impunity and bring perpetrators to justice.

In 2015, the Committee on the Elimination of Discrimination against Women (CEDAW) called on States parties to ensure that women human rights defenders have access to justice and are protected from harassment, threats, reprisals, and violence¹⁰. The Committee's General Recommendation No. 35 on gender-based violence against women (2017) pays particular attention to the stigmatization of women who stand up for their rights, including women human rights defenders, and calls on states to prevent harmful and stereotypical portrayals of women human rights defenders in the media¹¹.

The Beijing Declaration and Platform for Action¹², as well as the 2030 Agenda for Sustainable Development¹³, bind states to achieving gender equality and empowerment of all women and girls and recognizing the key role of women human rights defenders in implementing these objectives.

human rights defenders, Resolution adopted by the General Assembly on 18 December 2013, <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N13/450/31/PDF/N1345031.pdf?OpenElement>

¹⁰ General recommendation No. 33 on women's access to justice, 3 August 2015, https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CEDAW%2FC%2FGC%2F33&Lang=ru

¹¹ General recommendation No. 35 on gender-based violence against women, updating general recommendation No. 19, CEDAW/C/GC/35, 26 July 2017, <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N17/231/54/PDF/N1723154.pdf?OpenElement>

¹² Beijing Declaration and Platform for Action, https://www.unwomen.org/sites/default/files/Headquarters/Attachments/Sections/CSW/PFA_E_Final_WEB.pdf

¹³ Sustainable Development Goals, <https://www.un.org/sustainabledevelopment/gender-equality/>

In 2014, the Organization for Security and Cooperation in Europe (OSCE) adopted guidelines on the protection of human rights defenders, noting the need for gender-sensitive protection and support that responds to the specific needs of women human rights defenders and addresses the specific threats they face¹⁴.

The report "Situation of Women Human Rights Defenders," presented by the Special Rapporteur on the Situation of Human Rights Defenders, Michel Forst, at the 40th session of the UN Human Rights Council (10 January 2019) contains eight interrelated priority areas of action designated in consultation with women human rights defenders that require attention, resources and cooperation among states, national human rights institutions, donors, civil society, human rights defenders, and other stakeholders to create diverse, inclusive and powerful women's rights movements¹⁵.

Articles 22, 32, and 42 of the Constitution of the Republic of Belarus guarantee equal rights for women and men. Article 22 includes " the right to equal protection of their rights and legitimate interests without any discrimination."¹⁶

The Republic of Belarus adopted the National Plan of Action on Gender Equality in Belarus for 2021-2025¹⁷. Since 2000, the National Council on Gender Policy has been permanently operating under the Council of Ministers to coordinate gender policy in Belarus and develop concerted activities aimed at ensuring compliance with the provisions of the UN Convention on the Elimination of All Forms of Discrimination against Women¹⁸.

BACKGROUND AND ENVIRONMENT

Despite the enshrined in the law gender equality and formal representation of women in the government, the official discourse of the Belarusian authorities has always been characterized by declaring commitment to "traditional values" and by misogyny. For example, Lidia Yermoshina, the then irreplaceable chairwoman of the Central Election Commission, said in connection with the 2010 post-election protests, "There is nothing for these 'women' to do! They should have stayed at home and cooked borscht. Instead of going to squares. It's a shame for a woman to take part in events like this. I can still understand when she is a young dopey girl, but when an aged woman goes, it means that she has something wrong with her intellect."¹⁹ During the 2020 election campaign, when a woman became the most popular presidential candidate, Alexander Lukashenko has repeatedly expressed his views on women in a derogatory tone – "Our society is not mature enough to vote for a woman. The President has a strong power according to the Constitution" or "Our constitution is such that even a man can hardly bear this burden. And if you load it on a woman, she will

¹⁴ Guidelines on the Protection of Human Rights Defenders (ODIHR),

<https://www.osce.org/files/f/documents/c/1/119633.pdf>

¹⁵ Situation of women human rights defenders, Report of the Special Rapporteur on the situation of human rights defenders, 10 January 2019,

<https://undocs.org/Home/Mobile?FinalSymbol=A%2FHRC%2F40%2F60&Language=E&DeviceType=Desktop&LangRequested=False>

¹⁶ Constitution of the Republic of Belarus, <http://law.by/databank-business/constitution-of-the-republic-of-belarus/>

¹⁷ Decision of the Council of Ministers of the Republic of Belarus No. 793 "On the National Action Plan on Gender Equality in the Republic of Belarus for 2021-2025," 30 December 2020, <https://pravo.by/document/?guid=12551&p0=C22000793&p1=1&p5=0>

¹⁸ (Ministry of Health of the Republic of Belarus), <http://minzdrav.gov.by/ru/sobytiya/v-minske-proshlo-zasedanie-natsionalnogo-soveta-po-gendernoy-politike-pri-sovete-ministrov-respublik/>

¹⁹ (Komsomolskaya pravda), Ермошина: "Во время беспорядков в здании ЦИК сидели хрупкие женщины 42-го размера, и разъяренная толпа перла", 20 December 2010, <https://www.kp.ru/online/news/798727/>

crash to the ground, poor thing," etc²⁰. He has also declared that "a man will no doubt be" the next president of Belarus²¹.

The activities carried out by the Belarusian authorities within the framework of the national action plans for gender equality in Belarus, despite their importance, do not go beyond ensuring social and economic rights of women and do not include measures to support human rights defenders, civil activists, and non-governmental organizations defending women's rights, despite the relevant recommendations of the CEDAW²².

The government violence in the aftermath of the 9 August 2020 election sparked widespread women's participation in protests, volunteerism, and human rights activism²³. Many women were victims of some form of violence and harassment. The political crisis has resulted in a human rights crisis, shrunk space for civil society activities, including forced liquidation of many organizations defending women's rights and persecution of human rights defenders of all genders in various forms²⁴. The vast majority of women human rights defenders, as well as male ones, were forced to flee Belarus for security reasons²⁵. Those who have remained in Belarus cannot speak freely or work in a safe environment, and they are at risk of intimidation and reprisals for their legitimate human rights work.

It is important to note that, after the 2020 election, the participation of the Republic of Belarus in international mechanisms to protect women's rights was actually suspended. Thus, the intended report to the Committee on the Elimination of All Forms of Discrimination against Women was not submitted (the date of submission - November 2020). This lost an important opportunity to publicly report on the situation with the rights of women in Belarus. As it follows from the National Action Plan on Gender Equality in Belarus for 2021-2025, adopted in late 2020, the state abandoned the idea of acceding to the Council of Europe Convention on preventing and combating violence against women and domestic violence of 11 May 2011 (Istanbul Convention) that had been considered under the previous similar plan (for 2017-2020)²⁶.

²⁰ See more: (Novoye Literaturnoye Obozreniye), Ирина Соломатина, Виктория Шмидт. Гендерный популизм в Беларуси, https://www.nlobooks.ru/magazines/neprikosnovenny_zapas/135_nz_1_2021/article/23396/

²¹ (Belta), Лукашенко ответил на вопрос о своих возможных симпатиях к потенциальным кандидатам на выборах, 29 May 2020, <https://www.belta.by/president/view/lukashenko-otvetil-na-vopros-o-svoih-vozmozhnyh-simpatijah-k-potentsialnym-kandidatam-na-vyborah-392809-2020/>

²² Concluding observations on the eighth periodic report of Belarus, CEDAW, 18 November 2016, https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CEDAW%2FC%2FBLR%2FCO%2F8&Lang=en

²³ (Amnesty International), #STANDWITHBELARUS Женщины на передовой борьбы за права Человека, 2 March 2021, https://eurasia.amnesty.org/wp-content/uploads/2021/03/ru_web_belarus_women-on-the-front-line.pdf

²⁴ Situation of human rights in Belarus in the context of the 2020 presidential election, Report of the United Nations High Commissioner for Human Rights, 15 February 2021, A/HRC/46/4, <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G21/032/81/PDF/G2103281.pdf?OpenElement>; Situation of human rights in Belarus in the run-up to the 2020 presidential election and in its aftermath, Report of the United Nations High Commissioner for Human Rights, 4 March 2022, A/HRC/49/71, <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G22/276/97/PDF/G2227697.pdf?OpenElement>

Office of High Commissioner Describes a Climate of Repression in Belarus, a Deterioration of the Human Rights Situation, Serious Violations, and Rampant Impunity, 23 September 2022, <https://www.ohchr.org/en/press-releases/2022/09/office-high-commissioner-describes-climate-repression-belarus-deterioration>

²⁵ Situation of human rights in Belarus, Report of the Special Rapporteur on the situation of human rights in Belarus, Anaïs Marin, submitted in accordance with Human Rights Council resolution 47/19, 20 July 2022, A/77/195, <https://undocs.org/Home/Mobile?FinalSymbol=A%2F77%2F195&Language=E&DeviceType=Desktop&LangRequested=False>

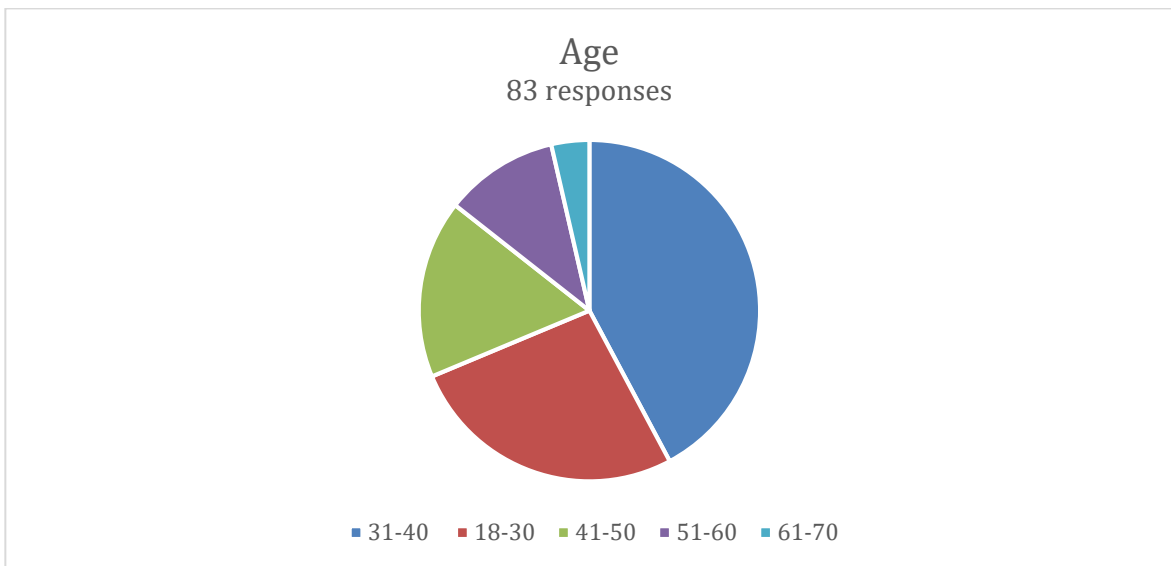
²⁶ (Ministry of Labor and Social Protection), National Action Plan on Gender Equality in Belarus for 2021-2025, <https://www.mintrud.gov.by/system/extensions/spaw/uploads/files/Nats-plan.pdf>

As a result of these developments, both the opportunities to ensure women's rights in Belarus and the opportunities to protect and support Belarusian female human rights defenders and civil activists have been catastrophically reduced.

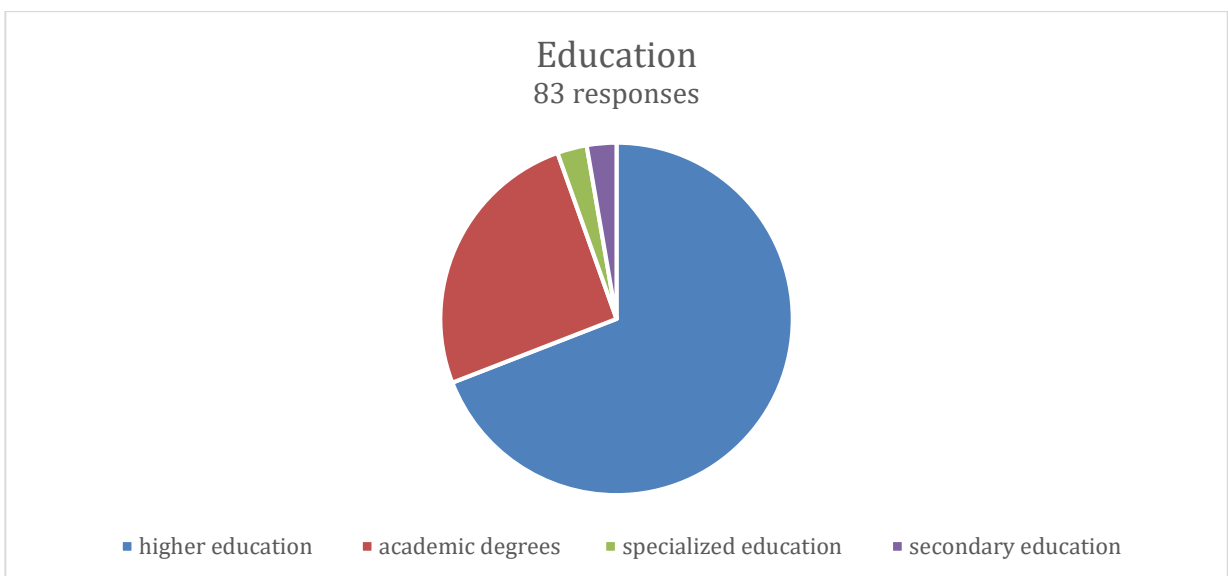
1. BELARUSIAN WOMEN HUMAN RIGHTS DEFENDERS AND CIVIL ACTIVISTS: A PICTURE BASED ON THE SURVEY RESULTS.

Based on the data collected by surveying 83 Belarusian women human rights defenders and activists, it is possible to draw a picture of this group.

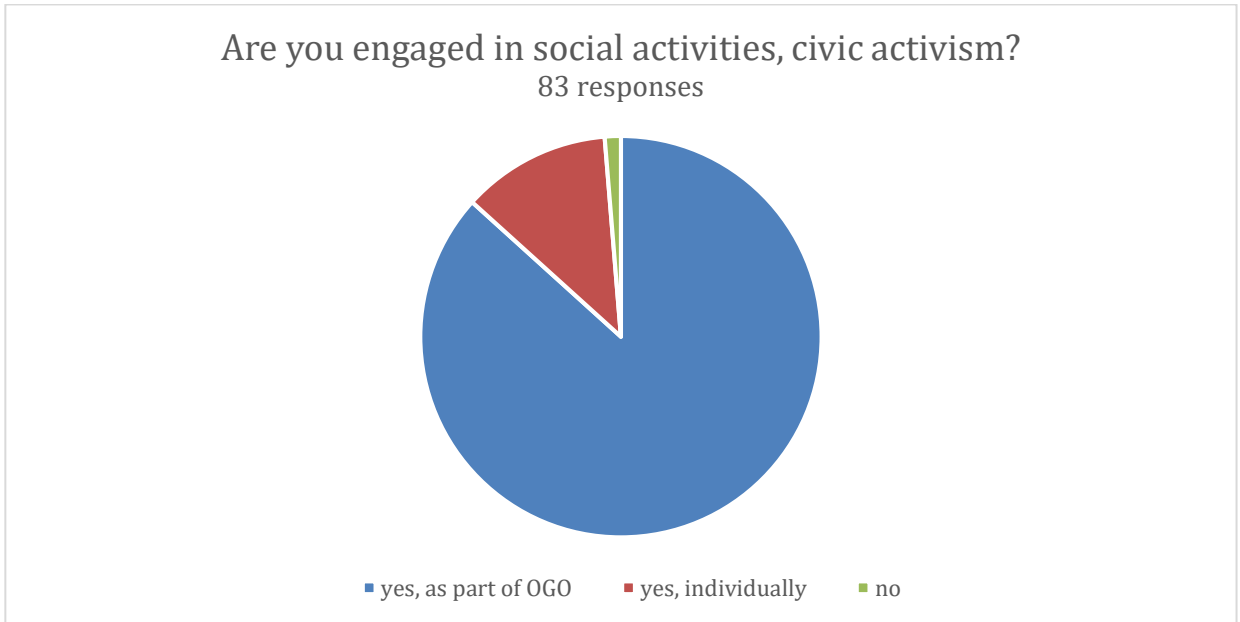
According to the data received, the main age group among those interviewed is 31-40 years old (42.2%), 26.5% are 18-30 years old, 16.9% are 41-50 years old, 10.8% are 51-60 years old, and 3.6% are 61-70 years old.



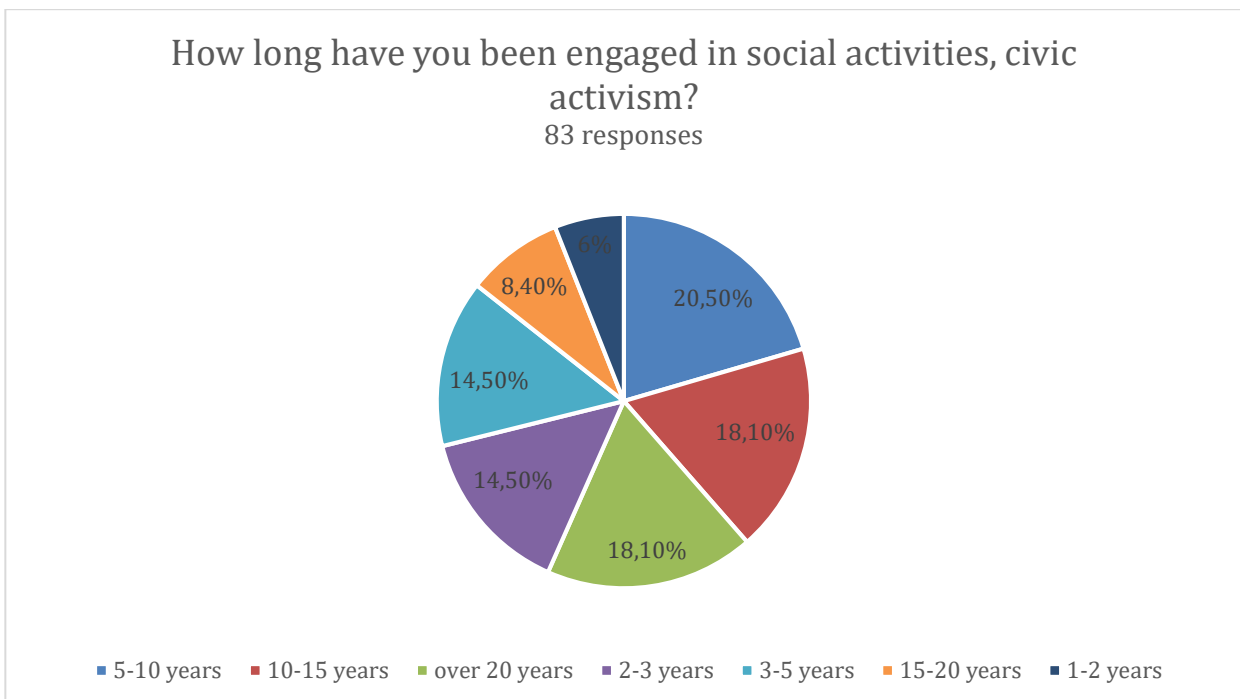
Most of the women interviewed have higher education (91.5%), of which 33.7% have academic degrees. 3.6% of respondents report having a specialized education and 3.6% have secondary education.



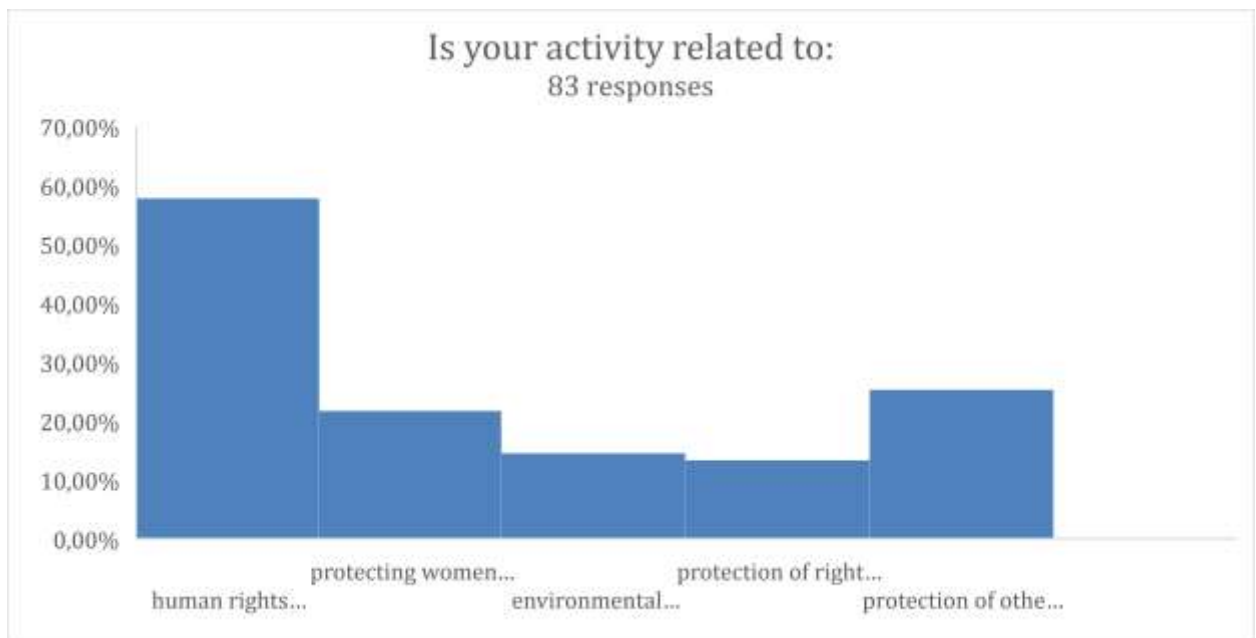
The vast majority of the interviewed women human rights defenders and activists are engaged in public activities as part of non-profit organizations and/or initiatives (86.7%), 12% do it individually, and 1.3% believe that their activities do not constitute civil activism. 56.6% of respondents reported that they occupy a leadership position in their organizations or are their leaders.



The survey shows that Belarusian women human rights defenders and civil activists have been involved in civil activities for different periods of time: 20.5% for from 5 to 10 years, 18.1% for from 10 to 15, 18.1% for over 20 years, 14.5% for 2-3 years, 14.5% for from 3 to 5 years, 8.4% for from 15 to 20 years, and 6% for 1-2 years. No engaging in human rights activism has been noted in the last year.



Among civil activists, there is a large percentage of those who identify their activities with human rights. 57.8% of respondents indicate that they are engaged in general issues of human rights protection. Among specific human rights, the activities of most respondents (21.7%) are aimed at protecting women's rights, sexual, and reproductive rights; environmental protection is in second place (14.5%); then, protection of rights related to sexual orientation, gender identity and gender expression follows (13.3%); and 25.3% of respondents are engaged in protection of other specific human rights. However, not all civil activists consider themselves individuals engaged in human rights activities: 16.9% of respondents do not associate themselves with human rights activities and 20.5% could not identify which specific rights they protect.



2. RISKS AND ATTACKS, INCLUDING GENDER-BASED VIOLENCE, FACED BY WOMEN HUMAN RIGHTS DEFENDERS AND CIVIL ACTIVISTS

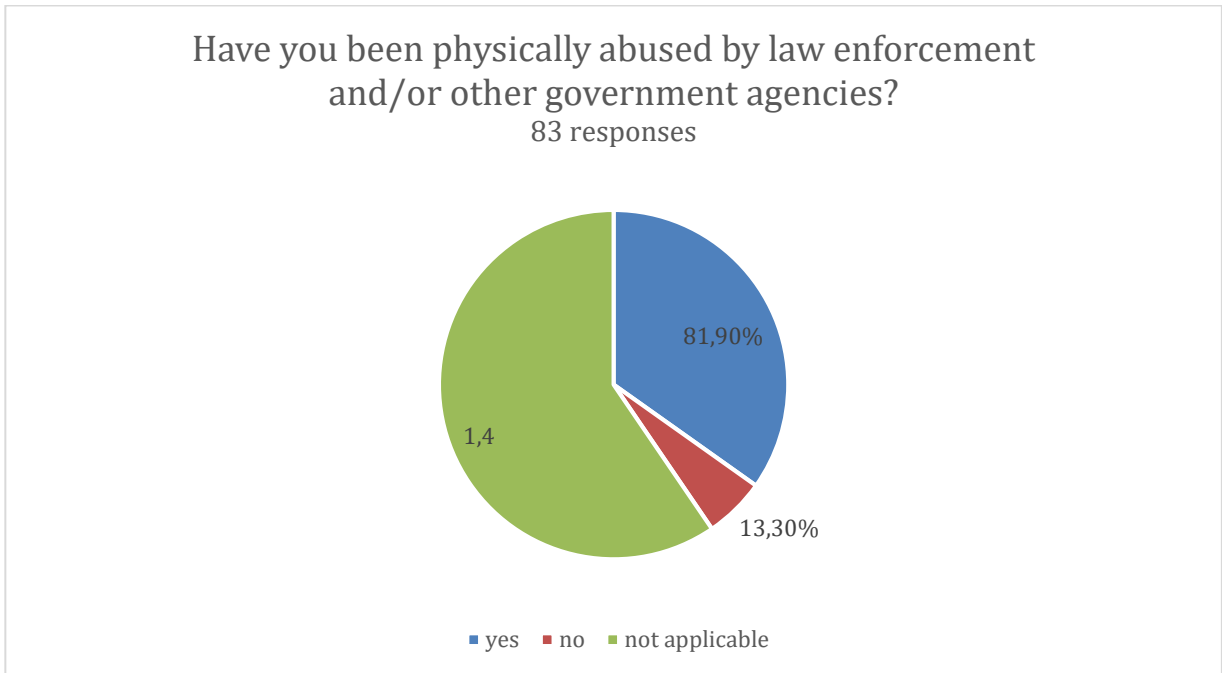
2.1. Physical and psychological violence.

According to CEDAW, the definition of discrimination includes gender-based violence, namely violence that is directed against a woman because she is a woman (conditioned by gender) or that affects women disproportionately or violence that disproportionately affects women (having gender-specific effects).

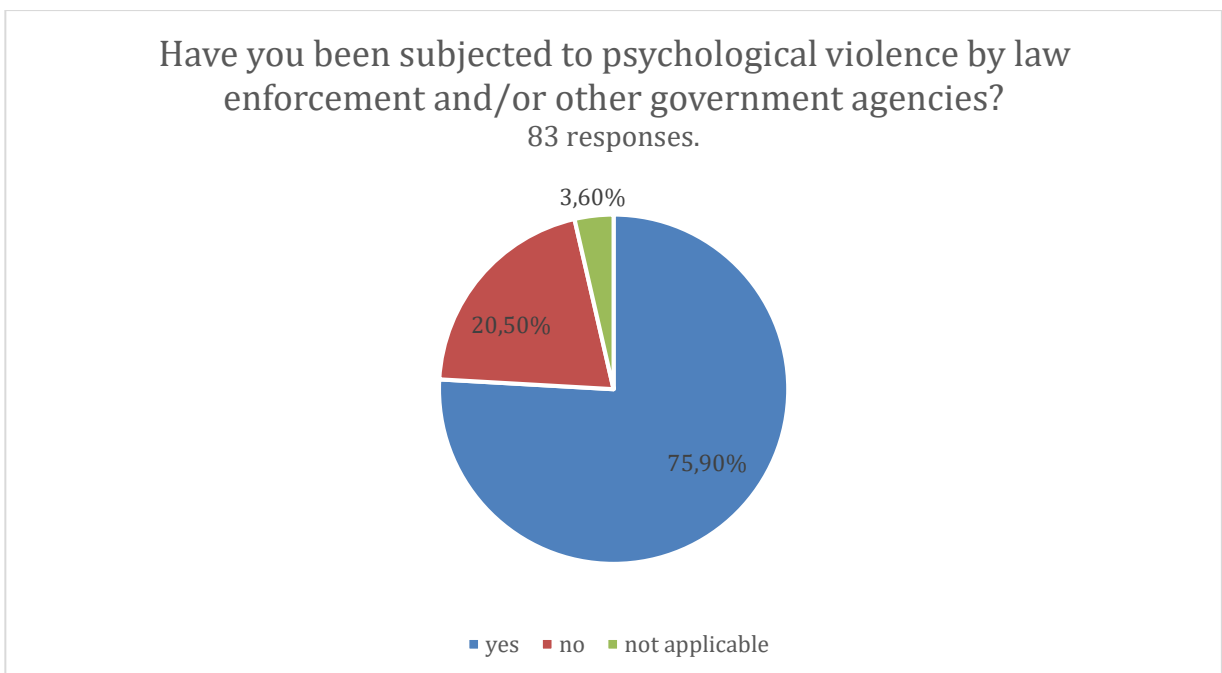
Belarusian human rights defenders and civil activists, both men and women, have experienced violence and threats to their safety in the course of their work; however, female human rights defenders and activists are, as a rule, more frequently targeted by gender-based violence and sexual harassment, both offline and online. The Special Rapporteur on the situation of human rights in Belarus, Anaïs Marin, expressed concern that hundreds of women were subjected to torture, ill-treatment and other forms of physical and psychological pressure, including gender-based violence and threats of rape during detention in the aftermath of the 2020 elections. Acts of intimidation, including verbal abuse, sexist and homophobic language, were mostly directed at women and individuals perceived to be members of the LGBTIQ+ community²⁷.

²⁷ Situation of human rights in Belarus, Report of the Special Rapporteur on the situation of human rights in Belarus, Anaïs Marin, submitted in accordance with Human Rights Council resolution 47/19, 19 July 2021, A/76/145, <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N21/196/85/PDF/N2119685.pdf?OpenElement>

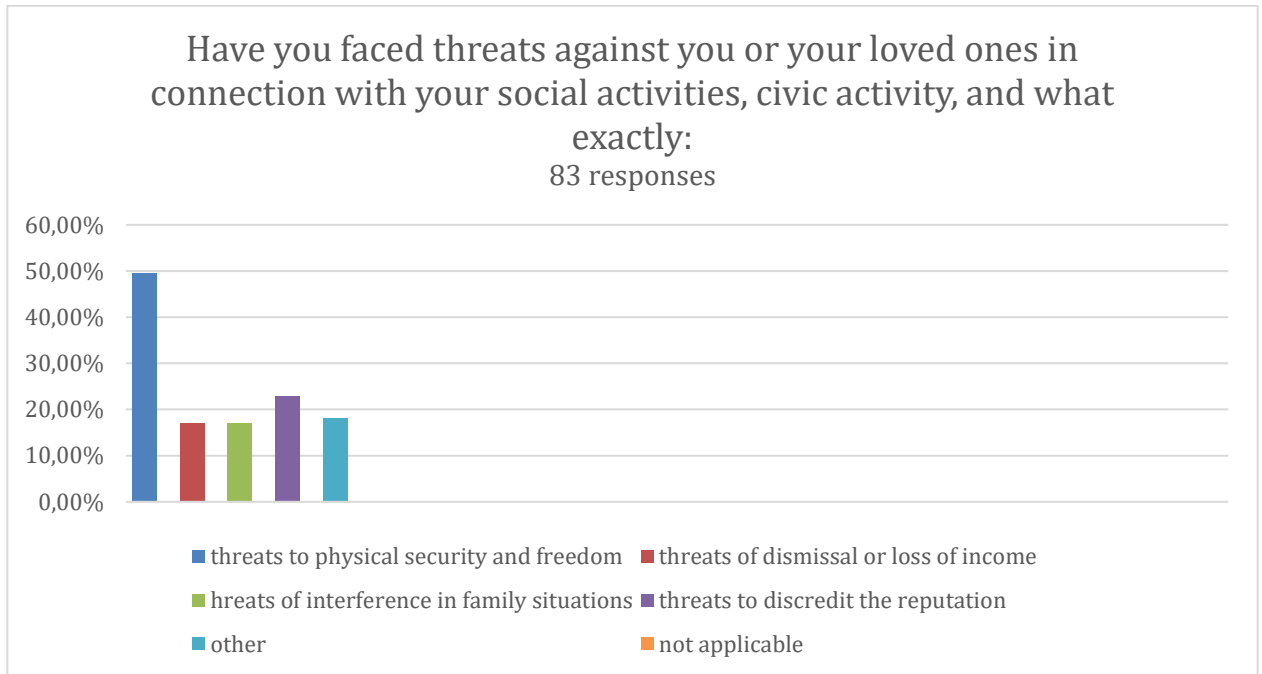
The majority of the Belarusian women human rights defenders and civil activists experienced some form of gender-based violence - physical confinement in discriminatory and inhumane detention conditions, threats against them and their loved ones, harassment and verbal abuse, and attacks on their reputations online and offline. Thus, 13.3% of respondents say that they were physically abused by law enforcement or government officials.



75.9% of respondents report they were subjected to psychological violence from law enforcement or government officials. 62,7% were victims of persecution by law enforcement agencies in the form of searches, interrogations, summonses, etc. - it is important to take into account that such measures are not only a means of intimidation of human rights defenders and civil activists, but also have a traumatic effect on their families, especially children.



68.7% of the respondents speak about threats against them or their relatives in connection with their civic activism, in this respect, about half of the women (49.4%) suffered from threats to their physical safety and freedom, 22.9% from threats to tarnish their image, 16.9% from threats of dismissal or loss of income, 16.9% from threats of interference in their family relations (to remove a child from the family or to register the family as a one "at risk"), and 18.1% state about threats of another nature. There was a case where a child of a woman human rights defender was detained and subjected to psychological pressure in order to obtain information about his mother's activities.



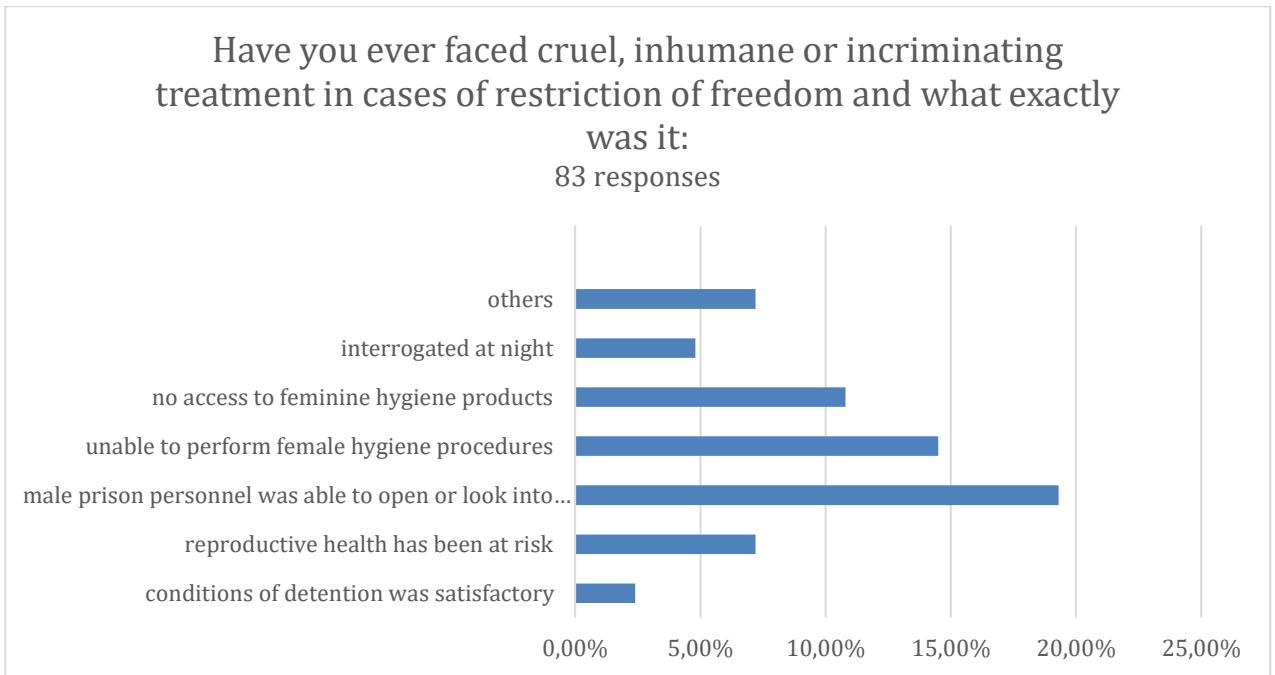
Civil activist Larysa Shchyryakova was forced to stop practicing journalism and then any civic activism in view of the threat to remove her son from the family. Nevertheless, in December 2022, she was detained and accused of "discrediting the Republic of Belarus", and her son was taken from the school and placed in a public shelter, despite the fact that his grandparents lived in the same city. The child was in the shelter for 17 days - until his father, who lived in the Russian Federation, was able to come and collect the necessary documentation.²⁸

30.1% of respondents experienced restriction of liberty (including short-term). Only 2.4% of them characterize conditions of detention as satisfactory, while 7.2% state that their reproductive health has been at risk as a result of detention. 19.3% of women human rights defenders and civil activists experienced that male prison personnel was able to open or look into their cells, 14.5% were unable to perform female hygiene procedures, 10.8% had no access to feminine hygiene products, and 4.8% were interrogated at night. 22.9% of the women interviewed assess the conditions of detention as unsafe for their health. It can be reasonably argued that these conditions are discriminatory and inhumane, and detention in Belarus is used to intimidate and pressure human rights defenders and civil activists. For example, human rights defender Nasta Loika²⁹, who was sentenced to an administrative arrest four times in 2022 and then was left in custody after being charged with two criminal offenses, stated during one of her court hearings that she had been hit with a taser while being interrogated by GUBOPiK (Main Directorate for Combating Organized Crime and Corruption of

²⁸ (Viasna), <https://prisoners.spring96.org/ru/person/larysa-szczyrakova>

²⁹ Nasta Loyka is the winner of the 2022 Belarusian human rights community's award in the nomination "Human Rights Defender of the Year", Viasna, <https://spring96.org/ru/news/110399>

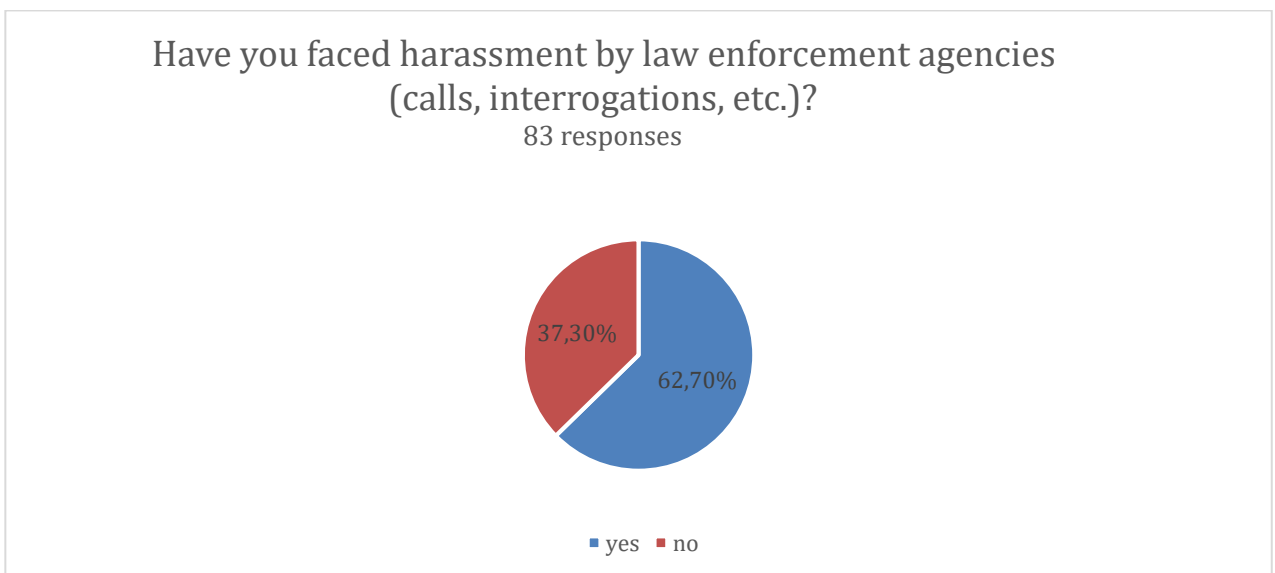
the Ministry of Internal Affairs of the Republic of Belarus) officers, and that, on 11 November, a prison officer took her out into the jailyard and left her without warm clothes for eight hours. Despite the fact that she got seriously ill, it is reported on her being in detention without warm clothes and personal care amenities, as well as on the medications made over to her never reached her.³⁰



2.2. Persecution through Abuse of the Justice System

The justice system in Belarus has in fact become part of the repressive apparatus for suppression of dissent. It has been and is still used to force people to stop any civic activism and human rights activities.

33.7% of the interviewed women human rights defenders and civil activists were prosecuted in the post-election period, i.e. they were either held administratively liable (many of them repeatedly) or became involved in criminal cases.



³⁰ (Viasna), <https://prisoners.spring96.org/ru/person/anastasija-loika>

As in the case of Belarusian human rights defenders and civil activists in general, the majority of women were convicted for violating the procedure for organization or holding of mass events under Article 23.34 (24.23 as amended) of the Code of Administrative Offences, disobeying to a legal order or demand of an official in the exercise of his authority (Article 24.3), and disorderly conduct (Article 17.3). Hearings in administrative cases in Belarus, as a rule, are held in violation of the principles of fair trial, often in the absence of a lawyer. Criminal prosecution, primarily the abuse of counter-extremism law, as well as charges of tax evasion, has also been, and is still widely used to intimidate women human rights defenders and civil activists. In particular, charges with ‘organizing and preparing actions grossly violating public order, or actively participating in them’ (Article 342 of the Criminal Code) can lead to up to four years in prison and charges with ‘rioting’ (Article 293 of the Criminal Code) up to eight years in prison.

In the period between the 2020 election and the end of 2022, at least 323 women were recognized as political prisoners, of whom 156 were staying in prison at the year's end³¹. In places of detention, political prisoners are almost automatically included on preventive registers as "prone to extremism and other destructive activities" - meaning that they must have a yellow patch, be handcuffed outside their cells and exercise yard, and be subject to a number of other restrictions³².

Some of the women human rights defenders subjected to criminal prosecution, such as Volha Harbunova,³³ a former leader and board member of the Public Association *Radislava*, were included in the List of Citizens of the Republic of Belarus, Foreign Citizens, or Stateless Persons Involved in Extremist Activities, which imposes a number of restrictions on the right to hold certain occupations and positions, as well as to conduct financial transactions.³⁴

It was the threat of severe criminal punishment, as well as the impossibility to continue human rights and other public activities, that forced the vast majority of women human rights defenders and civil activists to flee Belarus. According to the survey, 90.4% of the interviewed women are in relocation, another 3.6% considered the option of leaving Belarus.

It is important to note that being outside Belarus does not provide women human rights defenders and activists with guarantees against criminal prosecution. In 2022, the institution of "special proceedings" was enacted, provided for in new Article 468-27 of the Criminal Procedure Code, - criminal proceedings against an accused person who is outside the Republic of Belarus and evades appearing before the body conducting the criminal proceedings. As a result of its introduction, it became possible to convict someone in absentia and, as a consequence, to confiscate the property of political emigrants. At the beginning of 2023, the first criminal trials within the framework of special proceedings took place, including of female defendants. Thus, in the so-called "Black Book of Belarus case", three of the five defendants are women: Yanina Sazanovich, Valeryja Zaniamonskaya, and Volha Vysotskaya. Of the five defendants in the "Coordination Council's case", three are women: Sviatlana Tihanouskaya, Maryja Maroz, and Volha Kavalkova.

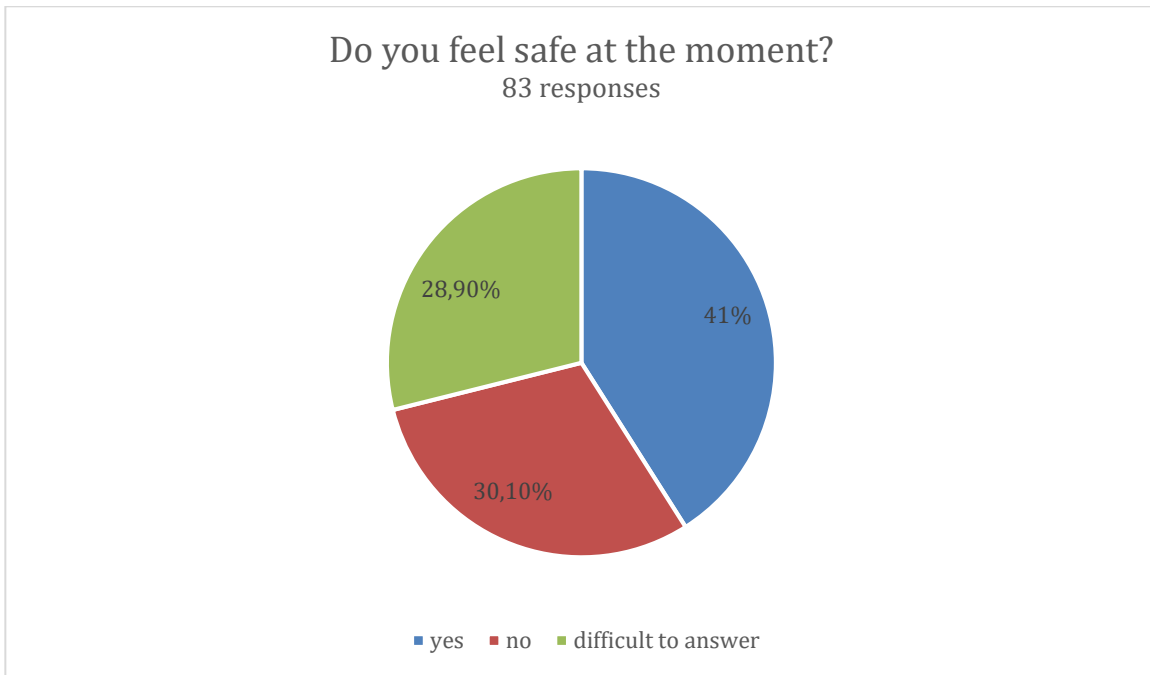
³¹ (Viasna), <https://prisoners.spring96.org/ru>

³² (Viasna), "Профучёт по экстремизму – это мир Оруэлла". Экс-политзаключенные и юрист — про жёлтые бирки, <https://spring96.org/ru/news/107768>

³³ In 2022, Volha Harbunova was given Front Line Defenders' Award for Human Rights Defenders at Risk for "her longstanding efforts to fight for the human rights of women and children in Belarus", Front Line Defenders, Volha Harbunova of Belarus receives Front Line Defenders Award, 9 December 2022, <https://www.frontlinedefenders.org/en/statement-report/volha-harbunova-belarus-receives-front-line-defenders-award>

³⁴ (The Ministry of Internal Affairs of the Republic of Belarus), List of Citizens of the Republic of Belarus, Foreign Citizens, or Stateless Persons Involved in Extremist Activities, <https://www.mvd.gov.by/en/news/8642>

In January 2023, amendments to the law "On Citizenship of the Republic of Belarus" were adopted providing for the possibility to lose by a person the Belarusian citizenship acquired at birth in connection with a valid Belarusian court sentence confirming the participation of this person in extremist activities or causing serious harm to the interests of the country, if such a person is abroad.



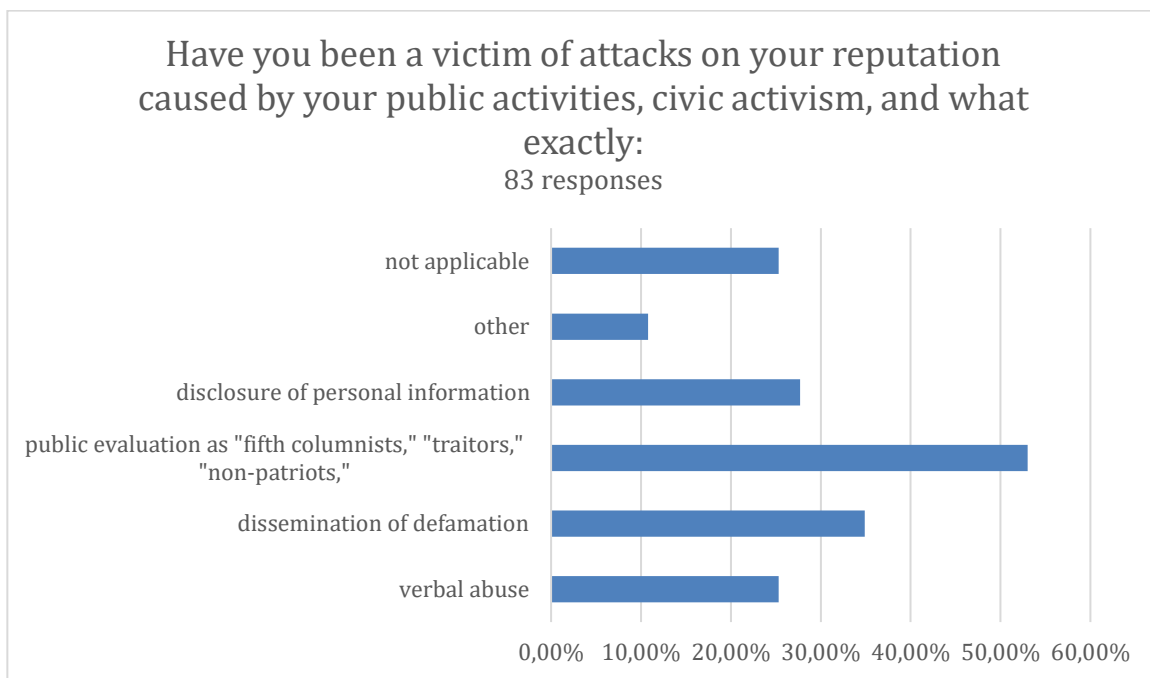
In spite of the fact that over 90% of the interviewed women were relocated, only 41% answered that they felt safe. 30.1% explicitly responded that they did not feel safe, and 28.9% had no answer. Appearing in new countries with their children, some women human rights defenders and civil activists felt vulnerable and reported a lack of livelihood.

2.3. Discrimination, Demonization, and Defamatory Attacks

The activity of human rights defenders, as well as that of many civil activists, have never been fully encouraged by the Belarusian government, but since the 2020 election, they has began to openly consider them a threat, stating that "these so-called environmentalists, human rights defenders, pseudo-journalists" were acting against national interests, being agents of Western influence, and accusing them of political and economic problems in the country³⁵. In February-July 2021, a wave of searches and arrests swept across the country followed by the liquidation of many non-profit organizations, including those defending women's rights. According to the *Lawtrend's* monitoring, between January 2021 and December 2022, at least 16 organizations involved in the promotion and protection of women's rights and gender equality were forcibly liquidated or were in the process of liquidation, in particular: the Belarusian Association of Women Lawyers, the Public Association *Province* of the city of Borisov, the Women's Club *KLEO*, the Public Association *Women's Independent Democracy*, the Public Association *Belarusian Women's Initiative for Human Rights*, the Public Association *Women for Revival of the Narach Land*, the Vitebsk Women's Club, the Social and

³⁵ (President of the Republic of Belarus), Address to the Belarusian People and the National Assembly, 28 January 2022, <https://president.gov.by/ru/events/aleksandr-lukashenko-28-yanvarya-obratitsya-s-ezhegodnym-poslaniem-k-belorusskomu-narodu-i-nacionalnomu-sobraniyu>

Educational Establishment *Center for Personal Development of Women*, the Center for Gender Initiatives *ADLIGA. Women for Equal Civil Rights*, the Belarusian Association of Women's Football, the *Women and Family Public Association*, the Belarusian Young Women's Christian Association, the Center for the Promotion of Women's Rights (*Her Rights*), the *Gender Perspectives International Public Association*, the *Gender Response Private Cultural and Educational Establishment*, the Social and Information Institution to Support Projects in the Field of Gender Equality *OUTLOUD*, and the *Radislava* public association. A number of organizations that had some programs to strengthen the role of women were also under liquidation, such as the educational establishment Office of European Expertise and Communication. Several more women's non-profit organizations submitted applications for liquidation – the informational and educational establishment *Creation and Development of Women's Initiatives in IT*, *Women's League For Survival*, and the Kobryn Club of Business Women *Bona*³⁶. At the same time, in the post-election period, NPOs` decisions to self-liquidate have been made primarily due to pressure on their members, the unfavorable legal environment, and general socio-political situation in the country, often under the authorities` forcing NPOs to make the decisions.



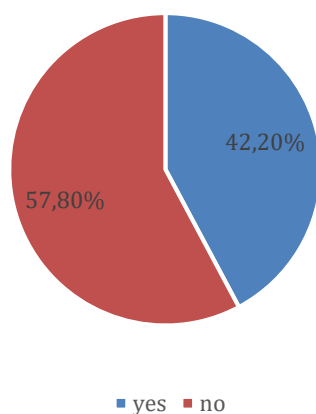
About 75% of respondents say that they have faced attacks on their reputations in connection with their civic activism. Moreover, more than half of them were victims of demonization (discrediting) of human rights defenders and activists expressed in their public evaluation as "fifth columnists," "traitors," "non-patriots," "extremists," or "terrorists" and widely disseminated by the state-run media.

Of particular note is that 42.2% of women were victims of online violence (online bullying) - they were attacked and insulted online. Women human rights defenders and civil activists encountered various forms of online attacks, in particular, 34.9% experienced slander, 27.7% experienced disclosure of personal information, 25.3% experienced verbal abuse, and 10.8% experienced other forms of reputational assaults.

³⁶ (Lawtrend), Monitoring data on NPOs in Belarus being in the process of forced liquidation or self-liquidation, <https://www.lawtrend.org/liquidation-nko>

Have you been bullied online (in the media, in news comments, on blogs, on websites, on social networks)?

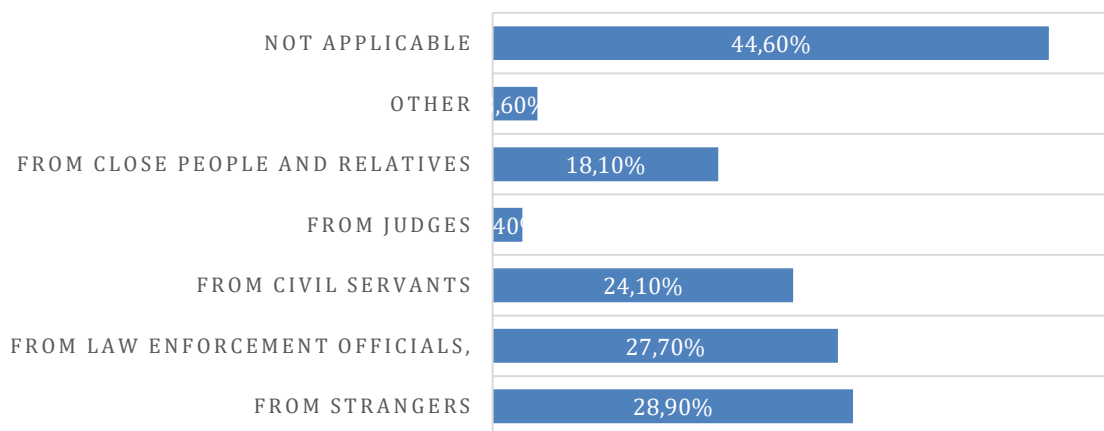
83 responses.



Reputational assaults against women involved in the protection of human rights and other civil activities affect not only their activities, but also their identity. Quite often, women human rights defenders and civil activists become targets of sexual harassment - comments and insinuations regarding their sexuality, sexual orientation, reproductive status, or marital status, which are aimed at discrediting activists and their work, such as the use of labels like "prostitute", "divorcee" or "lesbian". One in five women who took part in the survey encountered this problem.

Have you ever heard negative reviews about your social activity motivated by the fact that it destroys family values and from whom exactly?

83 responses



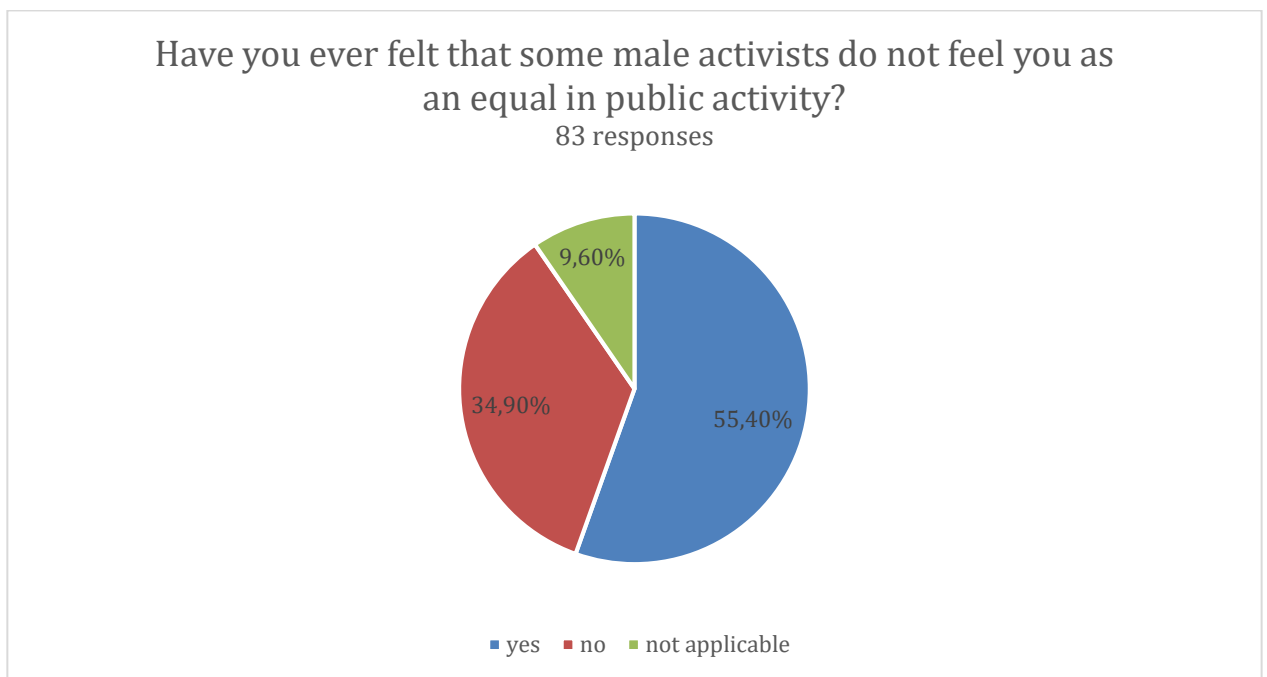
Discrimination against women in Belarus manifests itself, among other things, in stereotyping, in preventing women from exercising their right to be elected, and in ridiculing women and girls who express opinions different from those generally accepted³⁷. Against the backdrop of officially endorsed misogyny,

³⁷ Situation of human rights in Belarus, Report of the Special Rapporteur on the situation of human rights in Belarus, Anaïs Marin, submitted in accordance with Human Rights Council resolution 47/19, 19 July 2021,

women human rights defenders and civil society activists additionally suffer from public "condemnation" based on gender stereotypes.

More than half of them face an imputation that their civic activism destroys family values and hinders their fulfilling a "female role" (of a mother, a daughter, or a wife). Such statements are evenced not only by people around them (28.9% of respondents heard such things from strangers), but also by the government representatives: 27.7% of women faced such reproaches from law enforcement officials, 24.1% from civil servants, and 2.4% from judges. Public "condemnation," in turn, can alienate women engaged in civic activism from their family members and neighbors and deprive them of sources of protection and support - 18.1% of respondents heard negative comments on their activities from people close to them, including their relatives.

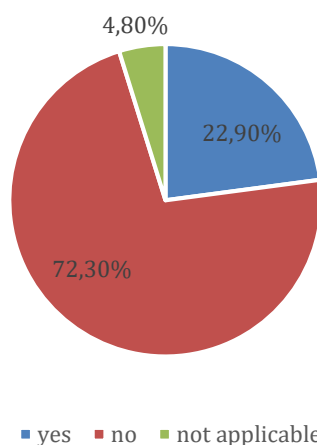
Unfortunately, one of the problems faced by women human rights defenders and civil activists is that they and their work often go unnoticed or their contributions are diminished, including within civil society structures of their participation. Often, their opinions are considered skeptically, they are assigned a supporting role in initiatives and organizations making it difficult for them to participate in decision-making processes. For example, more than half of the women interviewed (55.4%) report that some men did not perceive them as equals in the process of civil activities.



An even more disturbing result of the survey has been that women's rights and gender equality are deemed by some of the men involved in civil activities to be secondary issues in the sphere of human rights - this is the opinion of more than 70% of respondents.

Have you ever come across the fact that some male activists consider women's rights and gender equality to be secondary issues in the field of human rights?

83 responses

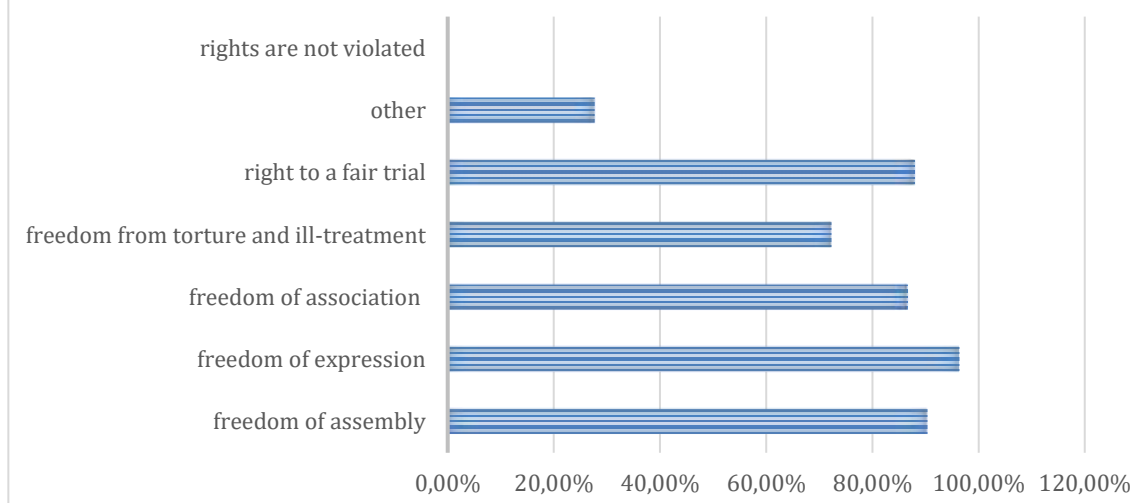


2.4. Women human rights defenders and activists` exercising their rights

Respecting fundamental civil rights is a necessary prerequisite for the safety and effective activities of women human rights defenders and civil society activists. "Women's right to a life free from gender-based violence is indivisible from and interdependent on other human rights, including the rights to life, health, liberty and security of the person, equality and equal protection within the family, freedom from torture, cruel, inhumane or degrading treatment, and freedom of expression, movement, participation, assembly and association,"³⁸- CEDAW General Recommendation No. 35 states.

Do you think that your human rights are violated

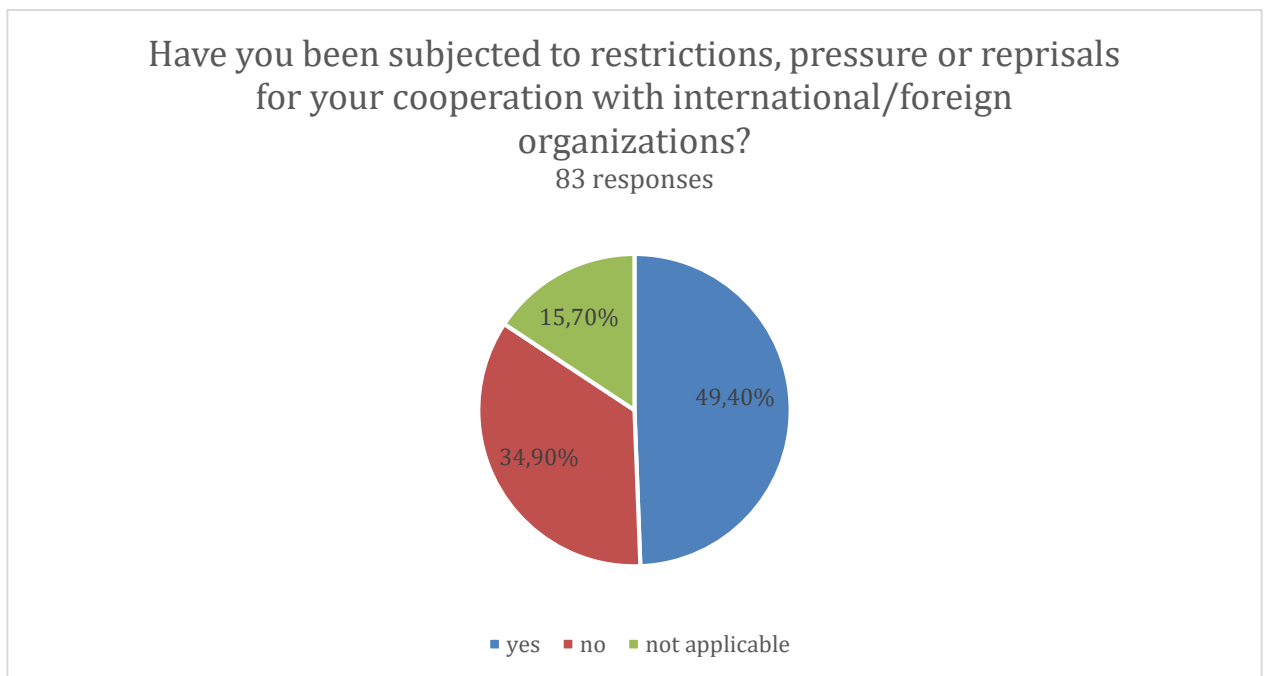
83 responses



³⁸ General recommendation No. 35 on gender-based violence against women, updating general recommendation No. 19, CEDAW/C/GC/35, 26 July 2017, <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N17/231/54/PDF/N1723154.pdf?OpenElement>

Absolutely all participants in the survey believe that their key civil human rights have been violated, in particular: the right to free expression (96.4%), the right to freedom of assembly (90.4%), the right to a fair trial (88%), the right to freedom of association (86.7%), the right to freedom from torture and cruel, inhuman or degrading treatment or punishment (72.3%), and other rights (27.7%).

The vast majority, more than 90%, of respondents report pressure on the non-profit organization or initiative to which they belong. At the same time, 66.3% of them mention, in this regard, pressure on members, 56.6% mention forced liquidation of the organization, 51.8% mention restrictions on the right to freedom of expression, 47% mention discrediting in the media, 39.8% mention interference in activities, 33.7% mention restriction of the right to peaceful assembly, 18.1% mention forcing to cooperation, and 16.9% of human rights defenders and activists experienced other forms of pressure on their organizations or initiatives.

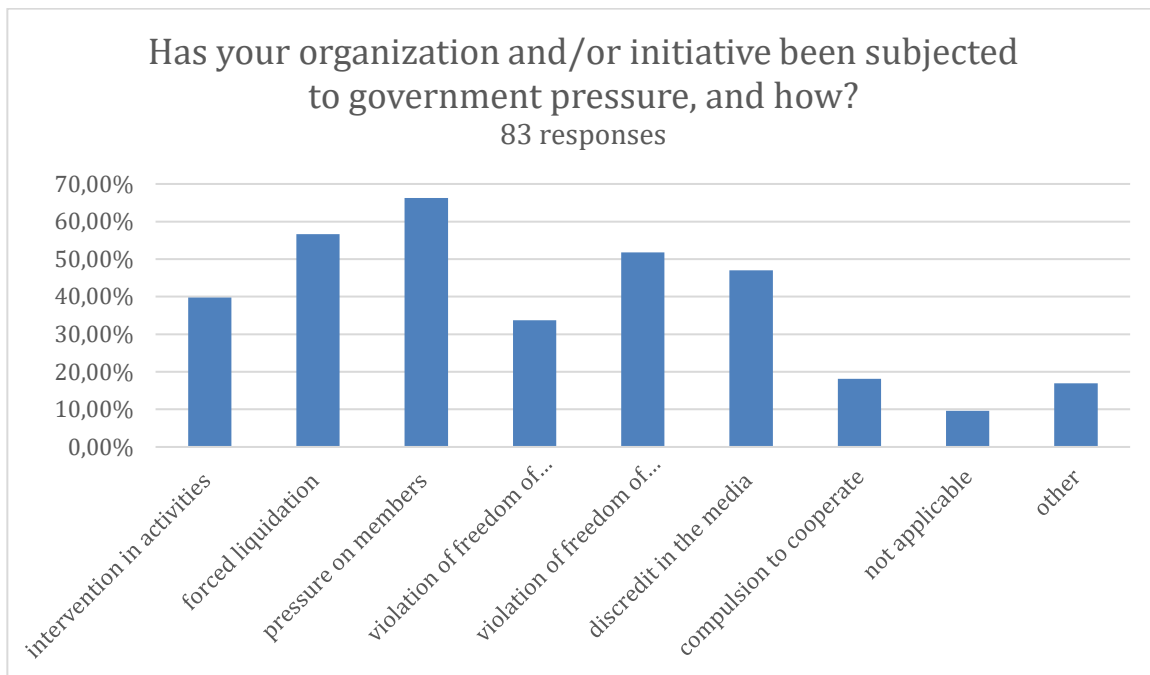


Persecution for cooperation with international or foreign organizations, which affected almost half (49.4%) of the respondents, is particularly noteworthy. All of these measures on the part of the state were accompanied by amplifying societal divisions and were justified by alleged threats to national security from civil society organizations.

On 4 January 2022, the infamous Article 193-1, which had previously been criticized by Belarusian and international organizations as not complying with human rights standards and had been abandoned in July 2019, was re-include into the Criminal Code - it provides for liability for activities on behalf of an officially unregistered or liquidated public association in the form of up to two-year imprisonment³⁹. The first case under this article was brought against a woman - the former head of the public charity organization *Hrodna Children's Hospice* Olga Velichko (it was the third criminal case against her). The charity organization was liquidated by the decision of the Hrodna regional court of 20 August 2021. According to the Hrodna regional prosecutor's office, it functioned under the distant control of its director Velichko, wanted on charges of

³⁹ (Lawtrend), Criminal liability for organizing and participating in unregistered organizations, <https://www.lawtrend.org/freedom-of-association/ugolovnaya-otvetstvennost-za-organizatsiyu-i-uchastie-v-nezaregistrovannyh-organizatsiyah>

stealing. At the same time, the hospice seriously ill wards` artworks were used for moral support of persons convicted of committing deliberate crimes."⁴⁰



Some women human rights defenders and civil activists` attempts to protect their rights, including to freedom of association, by legal remedies were unsuccessful in the atmosphere of impunity and in the absence of judicial independence. 47% of respondents appealed against court decisions relating to them and/or their organization, but none of the appeals were allowed.

32.5% of the women filed complaints against state officials (including law enforcement officers)` actions relating to violations of their rights, in particular, the right to association, but these complaints were satisfied in only 3.6% of cases.

The reasons why women involved in civic activism refused to appeal against the actions of the government include lack of faith in the appeal system (48.2%), fear for their own safety (47%), lack of trust in government agencies (44.6%), lack of access to legal aid (12%), expensive appeal process (12%), fear of paperwork (8.4%), and other factors (6%).

CONCLUSIONS AND RECOMMENDATIONS

Against the background of the overall human rights crisis in Belarus, there has been a "rollback" in women's rights, including those involved in human rights activities and social activism.

Both individual women civil activists and non-governmental organizations and initiatives in which they worked have faced serious threats and challenges to suppress any manifestation of their activities.

⁴⁰ (*Lawtrend*), Monitoring the situation of freedom of association and civil society organizations in the Republic of Belarus, June 2022 <https://www.lawtrend.org/freedom-of-association/situatsiya-so-svobodoj-assotsiatsij-i-organizatsiyami-grazhdanskogo-obshhestva-respubliki-belarus-obzor-za-iyun-2022-g>

Pressure on women participating in civil society has taken many forms, including gender-based violence, intimidation, defamation, and criminal prosecution.

In addition to direct pressure from the government, women human rights defenders and civil activists often face rejection and condemnation from both the authorities and their relatives because their civic activism is "incongruent" with their gender role.

Within civil society, there is a problem of underestimating the importance of protecting and promoting women's rights and achieving gender equality in all spheres, including human rights activities.

The inability to exercise civil rights, including unprecedented pressure on independent non-profit organizations, and an atmosphere of intimidation and impunity in Belarus forced most women human rights defenders and civil activists to leave the country. Once abroad, these women find themselves in a vulnerable position and often do not feel safe.

It is extremely important to maintain the capacity and sustainability of organizations engaged in supporting women, in particular, human rights defenders and civil activists promoting and protecting their rights and gender equality, both those relocated and those inside Belarus.

The persecution of women who participate in civic activities (including gender-based violence against them) impedes sustainable development through hindering women's participation and preventing the achievement of many of the development goals, including goal 5 to achieve gender equality and empowerment of all women and girls, and goal 16 to promote peaceful and open societies for sustainable development, access to justice and effective, accountable and inclusive development.

In this regard, we demand the Belarusian government to take measures for making progress in the implementation of the recommendations of international human rights mechanisms to fulfill international obligations concerning the human rights of women involved in civic engagement as well as gender equality, including:

- Recommendations of the Committee on the Elimination of Discrimination against Women (CEDAW)⁴¹,
- Recommendations of the Committee on Economic, Social and Cultural Rights,⁴²
- Recommendations of the United Nations High Commissioner for Human Rights in her reports pursuant to Human Rights Council resolutions 45/1 and 46/20, etc.⁴³

⁴¹ Committee on the Elimination of Discrimination against Women, Concluding observations on the eighth periodic report of Belarus, 18 November 2016,

<https://documents-dds-ny.un.org/doc/UNDOC/GEN/N16/402/62/PDF/N1640262.pdf?OpenElement>

⁴² Committee on Economic, Social and Cultural Rights, Concluding observations on the seventh periodic report of Belarus, 24 March 2022, paras. 9-14, <https://www.ecoi.net/en/file/local/2070825/G2229141.pdf>

⁴³ Situation of human rights in Belarus in the context of the 2020 presidential election, Report of the United Nations High Commissioner for Human Rights, 15 February 2021, A/HRC/46/4, para 77, <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G21/032/81/PDF/G2103281.pdf?OpenElement>; Situation of human rights in Belarus in the run-up to the 2020 presidential election and in its aftermath, Report of the United Nations High Commissioner for Human Rights, 4 March 2022, A/HRC/49/71, para 110, <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G22/276/97/PDF/G2227697.pdf?OpenElement>; Situation of human rights in Belarus, Report of the Special Rapporteur on the situation of human rights in Belarus, Anaïs Marin, submitted pursuant to Human Rights Council resolution 47/19, 20 July 2022, para 94, <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N22/432/95/PDF/N2243295.pdf?OpenElement>

In order to ensure a safe and enabling environment for the activities of Belarusian women human rights defenders and civil activists and the exercise by all women of their civil rights, **we recommend to states; intergovernmental organizations; international and regional organizations, bodies, and institutions:**

1. Express support for women human rights defenders and civil activists in Belarus, including by developing an official position on repression and threats against them and helping to identify, record, and investigate all violations that occur, in order to avoid impunity.

2. Promote the protection of the human rights of Belarusian women human rights defenders and civil activists who were forced to leave Belarus, including by ensuring their own and their family members' rights to work, health care, education, and other socio-economic and cultural rights without discrimination and in a gender-sensitive manner, taking into account that women and girls are more often in a particularly vulnerable situation.

3. Promote a safe and enabling environment for Belarusian women human rights defenders and civil activists in exile to continue their fruitful engagement in Belarusian civil society activities to protect human rights in a sustainable and effective manner by inviting them to systematic consultations on relevant issues.

4. Ensure that the legal status of Belarusian women human rights defenders and civil activists in exile, who cannot safely return to their country, is granted and that the principle of non-refoulement is strictly applied to them, in accordance with obligations under international human rights law.

5. Ensure that Belarusian women human rights defenders and civil activists, both those in forced expatriation and those remaining in Belarus, as well as their family members are able to obtain visas.

6. Intensify efforts to ensure safety, protection, and well-being of women human rights defenders and civil activists, while respecting confidentiality, informed consent and the "do no harm" principle.

We recommend to human rights and other civil society organizations, human rights defenders of all genders, and other stakeholders:

1. Denounce and document all forms of risks, threats, and attacks faced by women human rights defenders and civil activists to combat impunity and to bring perpetrators of their rights violations to justice, including compensation of damage, with a gender-based approach.

2. Develop and implement specific programs to protect and ensure the security of women human rights defenders and civil activists, assuming that this security must be understood holistically and that it includes physical security, digital security, environmental security, economic stability, and the mental and emotional well-being of women human rights defenders and their families.

3. Work for greater inclusion of gender perspectives in human rights practices and recognize strategies, organizations, and initiatives created by women involved in civic engagement themselves.

4. Respond to the concerns of women human rights defenders and civil activists over gender discrimination in civil society organizations and take action to prevent and eliminate it.

5. Implement the necessary training and rules of conduct for all members of civil society organizations and other actors to combat sexual and gender-based violence and harassment in both the external and internal working environments.

6. When planning activities, events, and social activism, take into account the individual needs of women human rights defenders and civil activists, including their having minor children.

7. Inform each other and share best practices on overcoming gender discrimination, promoting and protecting women's rights and supporting them.

Recognizing the important role of the mass media in combating gender stereotypes and in promoting the ideas of women's human rights, **we recommend to media outlets, media organizations, and other information producers:**

1. Inform the public about the work of women human rights defenders and civil activists, importance of protecting women's human rights and ensuring gender equality, including by giving them the floor.

2. Pay close attention in their work to getting rid of gender stereotypes, condemning sexual and gender-based violence, misogyny, social prejudices, patriarchal customs, as well as any discriminatory manifestations.

3. Take measures to ensure women an equal access to participate in the media, including to have an opportunity to counteract smear campaigns.

4. Strive for ensuring a safe online space for women human rights defenders and all women, free from discrimination, defamation, and hate speech, by providing them with security and confidentiality tools and facilitating easy filing complaints against online violence.