



## **Monitoring of the situation with freedom of association and the status of civil society organizations in the Republic of Belarus**

**September 2023**

The repressive flywheel in Belarus continues to work: detentions, searches, border checks and other types of persecution have become a part of life in the country. The number of NGOs being liquidated in Belarus continues to rise. As of the end of September 2023, no less than 923 non-governmental organizations are in the process of forced liquidation, either through lawsuits filed for compulsory dissolution in court or by being forcibly removed from the Unified State Register of Legal Entities and Individual Entrepreneurs (USR). The number of organizations that have chosen voluntary dissolution amounts to no less than 518 organizations as of the end of September. After the re-registration process and the liquidation courts, 4 registered political parties remained in the country. Consequently, the losses in Belarus's civil sector since the post-election period of 2020 amount to no less than 1,441 institutionalized forms of non-governmental organizations, including civic associations, professional unions, political parties, foundations, non-governmental institutions, and associations. At the same time, the Belarusian non-profit sector finds new forms of work and continues to carry out activities both inside Belarus and from abroad. People continue to be summoned to the State Security Committee (KGB) for allegedly financing extremist formations, as well as criminal prosecution in such cases.

As of September 30, 2023, there are 1492 people recognized as political prisoners in Belarus, currently held in places of detention.

### **Completion of the process of re-registration (liquidation) of political parties.**

As of September 30, 2023, 4 political parties remained in the country as a result of the past re-registration of political parties, courts on liquidation of parties that did not submit documents for re-registration or did not pass this process. The process of re-registration of political parties in Belarus was as follows (the information provided is based on open sources: Internet publications, websites of political parties, website of the Ministry of Justice, website of the Supreme Court).

№	Political Party Name	The status of the political party	Comments
1	Belarusian Party "Belaya Rus" ("White Ruthenia")	Registered	Registered after the amendments to the Law on Political Parties came into effect. Did not undergo re-registration ( <a href="#">information from the Ministry of Justice</a> )

	(Leader: Aleh Ramanau)		
2	Liberal Democratic Party (Leader: Aleh Haidukevich)	Registered	Completed the re-registration process. The party's new name is the Liberal Democratic Party of Belarus ( <a href="#">information from the Ministry of Justice</a> ).
3	Communist Party of Belarus (Leader: Aliaksei Sokal)	Registered	Completed the re-registration process ( <a href="#">information from the Ministry of Justice</a> ).
4	Republican Party of Labour and Justice (Leader: Aliaksandr Hizhnyak)	Registered	Completed the re-registration process ( <a href="#">information from online publications citing the Ministry of Justice's press service</a> ).
5	Belarusian Social and Sports Party	It is currently registered, but a lawsuit for liquidation has been filed.	No information is available in accessible online sources regarding the party's submission of documents for re-registration. 04.09.2023 - consideration of the statement of claim of the Ministry of Justice to the Supreme Court on the liquidation of the party has happened. Information of the <a href="#">Unified State Register</a> - is in the process of liquidation.
6	Belarusian Party "Zelenyye" ("Greens")	In the process of liquidation	<a href="#">Documents</a> for re-registration have been submitted. A resolution was adopted to terminate the Law on Political Parties in its new version due to its non-compliance with the Constitution and Belarus's international obligations, as well as the party's failure to provide the Ministry of Justice with a list of members due to lack of security guarantees and associated consequences. The Ministry of Justice responded with a proposal to hold a congress, decide on self-liquidation, and report within one week from the date of the letter on the measures taken to fulfil these actions (information from online publications and press conferences, joint resolution). The Ministry of Justice filed a lawsuit for the liquidation of the party. On July 27, the lawsuit was considered in the Supreme Court. On July 28, the entry in the Unified State Register (USR) was updated to show that the party <a href="#">is in the process of liquidation</a> .
7	Social-Democratic Party of People's Consent	In the process of liquidation	No information is available in accessible online sources regarding the party's submission of documents for reregistration.

			<p>The Ministry of Justice has filed a lawsuit for the liquidation of the party. On August 9, <a href="#">a court hearing was scheduled</a> to consider the lawsuit filed by the Ministry of Justice for the liquidation of the party.</p> <p><a href="#">Entry in the Unified State Register</a>: In the process of liquidation.</p>
8	Belarusian Agrarian Party	In the process of liquidation (an independent decision on liquidation has been made)	<p>No information is available in accessible online sources regarding the party's submission of documents for re-registration.</p> <p>On 12.08.2023 the <a href="#">decision</a> on self-liquidation of the political party was <a href="#">made</a>.</p>
9	Republican Party	In the process of liquidation	<p>No information is available in accessible online sources regarding the party's submission of documents for re-registration.</p> <p>The Ministry of Justice has filed a lawsuit for the liquidation of the party. On August 8, <a href="#">a court hearing was scheduled</a> to consider the lawsuit filed by the Ministry of Justice for the liquidation of the party.</p> <p><a href="#">Entry in the Unified State Register</a>: In the process of liquidation.</p>
10	Conservative-Christian Party – BNF	In the process of liquidation	<p>No information is available in accessible online sources regarding the party's submission of documents for re-registration.</p> <p>The Ministry of Justice has filed a lawsuit for the liquidation of the party. On July 20, the lawsuit was considered in the Supreme Court.</p> <p><a href="#">Entry in the Unified State Register</a>: <a href="#">in the process of liquidation</a>.</p>
11	BNF Party	In the process of liquidation	<p>Decision made not to submit documents for re-registration.</p> <p>A resolution was adopted to terminate the Law on Political Parties in its new version due to its non-compliance with the Constitution and Belarus's international obligations, as well as the party's failure to provide the Ministry of Justice with a list of members due to lack of security guarantees and associated consequences (information from online publications, press conferences, joint resolution).</p> <p>The Ministry of Justice has filed a lawsuit for the liquidation of the party. On August 14, <a href="#">a court hearing was scheduled</a> to consider the</p>

			lawsuit filed by the Ministry of Justice for the liquidation of the party. <a href="#">Entry in the Unified State Register</a> : In the process of liquidation.
12	Belarusian Left Party "Spravedlivyi Mir" ("Fair World")	In the process of liquidation	Documents for re-registration have been submitted. At the congress, a decision was made not to disclose the list of party members with personal data to ensure their safety (information from the party's website and online publications). On September 22, the consideration of the Ministry of Justice's lawsuit for the liquidation of the party was scheduled. However, due to the appeal against the decision on liquidation, the court was postponed and on 26.09 the consideration of the party's complaint against the refusal of the Ministry of Justice to re-register the party was held (the complaint was denied). 29.09 - liquidation trial. <a href="#">Entry in the Unified State Register</a> : In the process of liquidation
13	United Civic Party	In the process of liquidation	Decision made not to submit documents for re-registration. A resolution was adopted to terminate the Law on Political Parties in its new version due to its non-compliance with the Constitution and Belarus's international obligations, as well as the party's failure to provide the Ministry of Justice with a list of members due to lack of security guarantees and associated consequences (information from online publications, press conferences, joint resolution). <a href="#">Entry in the Unified State Register</a> : In the process of liquidation.
14	Belarusian Patriotic Party	In the process of liquidation	No information is available in accessible online sources regarding the party's submission of documents for re-registration. The Ministry of Justice has filed a lawsuit for the liquidation of the party. On July 24, the lawsuit was considered in the Supreme Court. The entry in the Unified State Register (USR) was updated to show that the party is <a href="#">in the process of liquidation</a> .

15	Belarusian Social Democratic Hramada	In the process of liquidation	Documents for re-registration <a href="#">have been submitted</a> . No individual list is provided. The accompanying document contains a commitment to bring the number of organizational structures in line with the new requirement of the law within a year (information from the party's website). The Ministry of Justice has filed a lawsuit for the liquidation of the party. On July 31, the lawsuit was considered in the Supreme Court. <a href="#">Entry in the Unified State Register</a> : In the process of liquidation.
16	Belarusian Social-Democratic Party (Hramada)	In the process of liquidation	Documents for re-registration have been submitted. A resolution was adopted to terminate the Law on Political Parties in its new version due to its non-compliance with the Constitution and Belarus's international obligations, as well as the party's failure to provide the Ministry of Justice with a list of members due to lack of security guarantees and associated consequences (information from online publications, press conferences, joint resolution). The party's reregistration request was denied by the Ministry of Justice. The party's leadership has appealed the denial of reregistration to the Supreme Court. Initially, the case for the liquidation of the party was scheduled for September 11th. However, due to the filing of the complaint, the case has currently been removed from the Supreme Court's schedule. On September 5th, the consideration of the party's complaint regarding the denial of re-registration was scheduled, the appeal was denied. 20.09.2023 - court on liquidation of the party. <a href="#">Record in the Unified State Register</a> - is in the process of liquidation.

### Forced liquidation of non-governmental organizations<sup>1</sup>

<sup>1</sup> The monitoring only records cases of forced liquidation and self-liquidation of non-commercial organizations (NGOs), and quantitative data does not include government institutions or republican state-public organizations. Religious organizations, consumer cooperatives, and other organizational and legal forms of NGOs besides public associations, foundations, private institutions, and associations are also not taken into account.

As of September 30, 2023, according to [the monitoring conducted by Lawtrend](#), there have been 923 NGOs in the process of forced liquidation, including lawsuits filed by registering authorities for liquidation or being forcibly excluded from the Unified State Register of Legal Entities and Individual Entrepreneurs (USR). This is 23 organizations more than in the previous monitoring period. During the monitoring period there was an increase in the number of forcibly liquidated foundations (6 foundations - lawsuit for forced liquidation by the Main Department of Justice of Minsk City Executive Committee, 2 – by Homiel Regional Executive Committee, 1 - by Hrodna Regional Executive Committee).

Since July, the mass exclusion of public associations, in respect of which a decision on forced liquidation was taken, but which did not pass the established liquidation procedure, from the Unified State Register of Legal Entities and Individual Entrepreneurs (USR) started.

### **Non-governmental organizations deciding on self-liquidation**

The process of NGOs independently deciding on liquidation continues. As of September 30, 2023, according to [the monitoring conducted by Lawtrend](#), there have been 518 NGOs (public associations, foundations, and institutions) in which the authorized body or founders have decided to liquidate. This is 11 NGOs more than in the previous monitoring period.

As before, the decision on self-liquidation is primarily due to pressure on the members and employees of NGOs, an unfavourable legal environment, the overall socio-political situation in the country, and often the authorities' pressure on NGOs to make such a decision.

Analysis of the overall statistics of forcibly liquidated (or being liquidated) NGOs and NGOs that have decided on self-liquidation shows that starting from September 2020 until the end of September 2023, there has been a decrease (or will soon be due to judicial reviews) of at least 1 441 non-governmental organizations (including public associations, including professional unions, political parties, funds, institutions, and associations) in Belarus.

### **The other pressure on civil society organizations and activists.**

Due to the performance of their professional activities, human rights defenders continue to serve prison sentences:

- the coordinator of Viasna Volunteer Service Marfa Rabkova (sentenced to 14 years and 9 months in a general regime colony, listed as involved in terrorist and extremist activities);
- Viasna volunteer Andrey Chapiuk (sentenced to 5 years and 9 months in a medium security prison, listed as involved in terrorist and extremist activities);
- Viasna chairman and Nobel laureate Ales Bialiatski; Viasna Board member and FIDH Vice-President Valiantsin Stefanovich;
- lawyer Uladzimir Labkovich, coordinator of the campaign "Human Rights Defenders for Free Elections",
- human rights defender Nasta (Anastasiya) Loika (sentenced to seven years of imprisonment in a correctional colony of the general regime).

In places of deprivation of liberty, other representatives of civil society organizations are also being held, for example,

- members of the Coordination Council Maxim Znak (included in the list of individuals involved in terrorist activities, sentenced to 10 years of imprisonment), Marya Kalesnikava (included in the list of individuals involved in terrorist activities, sentenced to 11 years of imprisonment),
- representative of the "Green Patrol" initiative Pavel Nazdra (included in the list of individuals involved in extremist activities, sentenced to 2 years of imprisonment),
- public figure, founder of the "Flying University" Uladzimir Matskevich (included in the list of individuals involved in extremist activities, sentenced to 5 years of imprisonment),
- expert of the analytical group of the Agency for Humanitarian Technologies, coordinator of the "Flying University," senior analyst at the Center for European Transformation Tatsiana Vadalazhskaya (included in the list of individuals involved in extremist activities, sentenced to 2 years and 6 months of restricted freedom with placement in an open-type correctional facility ("chemistry")),
- member of the Council and co-founder of the School of Young Public Administration Managers Sympa, expert of the research project bipart Tatsiana Kuzina (sentenced to 10 years of imprisonment),
- founder and editor of the expert community website "Our Opinion," head of the expert monitoring group "Belarus in Focus" Valeryia Kastsyuhova (sentenced to 10 years of imprisonment),
- co-chair of the association "Tell the Truth", and former presidential candidate Andrey Dzmitryeu (included in the list of individuals involved in extremist activities, sentenced to 1.5 years in a colony),
- founder of Symbal.by, Pavel Belavus, has been included in the lists of individuals involved in terrorist and extremist activities and has been sentenced to 13 years in a high-security correctional facility,
- art manager Uladzimir Bulauski has been included in the list of individuals involved in extremist activities and has been sentenced to 2 years in a general regime colony,
- former leader of the crowdfunding platforms Ulej and MolaMola, Eduard Babaryka, has been sentenced to 8 years in a high-security colony.
- Pavel Mazheika, a cultural figure and Hrodna activist who headed the "City Life Center," has been sentenced to six years of imprisonment in a high-security colony.

Deputy Director of Minsk Cycling Society, Maksim Puchynski, has been included in the list of individuals involved in extremist activities and is subjected to a 2-year and 6-month restriction of freedom without being sent to an open-type correctional facility (probation / "home chemistry").



According to the Belarusian Independent Trade Union, currently, nearly four dozen trade union activists and leaders of democratic trade unions are imprisoned in Belarus. Thus, leaders and activists of Belarusian independent trade unions are being held in places of detention:

- Aliaksandr Yarashuk, Chairman of the Belarusian Congress of Democratic Trade Unions (sentenced to 4 years of imprisonment, included in the list of individuals involved in extremist activities).

- Siarhei Antusevich, Deputy Chairman of the Belarusian Congress of Democratic Trade Unions (sentenced to 2 years of imprisonment, included in the list of individuals involved in extremist activities).

- Andrey Khanevich, Chairman of the primary organization of the Belarusian Independent Trade Union at OJSC "Hrodna Azot" (included in the list of individuals involved in extremist activities, sentenced to 5 years of imprisonment).

- Aliaksandr Mishuk, Chairman of the Independent Trade Union at "Belaruskali" (included in the list of individuals involved in terrorist activities and extremist activities, sentenced to 2 years and 6 months of imprisonment).

- Henadz Fiadynich, Head of the Independent Trade Union of Radioelectronics Industry Workers (sentenced to 9 years of imprisonment in high-security conditions, included in the list of individuals involved in extremist activities).

- Vasil Berasnieu, Leader of the Orsha Independent Trade Union of Radioelectronics Industry Workers, acting Chairman of the Trade Union of Radioelectronics Industry Workers (sentenced to 9 years of imprisonment in high-security conditions, included in the list of individuals involved in extremist activities).

- Vatslau Areshka, Activist of the Trade Union of Radioelectronics Industry Workers (sentenced to 8 years of imprisonment, included in the list of individuals involved in extremist activities).

- Artsiom Zharnak, Chairman of the primary trade union organization of the Free Metalworkers Union at MAZ (included in the list of individuals involved in terrorist activities, sentenced to 4 years of imprisonment).

- Maksim Senik, Activist of the Belarusian Independent Trade Union at OJSC "Hrodna Azot" (sentenced to 4 years of imprisonment).

Mikhail Hromau, Secretary of the liquidated Free Metalworkers Union was sentenced to 2 years and 6 months of restricted freedom without placement in an open-type correctional facility (probation / "home chemistry").

Vital Chychmarou, Head of the primary trade union organization of the Free Metalworkers Union was sentenced to 3 years of restricted freedom without placement in an open-type correctional facility (probation / "home chemistry").

Viktar Fianchuk, former head of the Public Association "Akhova Ptushak Batsykaushchyny", sentenced to 2 years and 6 months of imprisonment under Part 1 of Article 342



of the Criminal Code (included in the list of involved in extremist activities), was released after serving his full sentence.

Due to the expiration of the detention period, some representatives of Belarusian civil society organizations have also already been released, having served their full sentence. For example,

- the accountant of the Belarusian Congress of Democratic Trade Unions Iryna But-Husaim (was sentenced to 1.5 years of imprisonment under part 1 of article 342 of the Criminal Code, listed as involved in extremist activity),

- activist of the Free Trade Union of Metalworkers Janina Malash (was sentenced to 1.5 years of imprisonment under part 1 of article 342 of the Criminal Code, listed as involved in extremist activity);

- volunteer of the Homiel branch of the Human Rights Center "Viasna" Tatsiana Lasitsa (was sentenced to 2.5 years of imprisonment, served 1 year and 8 months under part 1 and part 2 of article 342 of the Criminal Code, listed as involved in extremist activity),

- chairman of the Homiel branch of the Human Rights Center "Viasna" Leanid Sudalenka (was sentenced to 3 years in prison, under Art. 342 of the Criminal Code, was included in the list of those involved in extremist activity),

- a participant of the main composition of the Coordination Council, and the "Zadzinochannye Belaruskih Studentau" ("Belarusian Students' Association"), activist of the "Youth Bloc" Alana Gebremariam and other participants and participants of the "Belarusian Students' Association".

The practice of recognizing information products, including initiatives posted abroad, as "extremist materials," and expanding the lists of individuals, organizations, formations, and individual entrepreneurs involved in extremist activities is continuing. Prosecuting citizens for allegedly financing extremist activities by transferring donations (donations) to various foundations also continues.

To [the list of the extremist materials](#) now are also included the Telegram channel and the logo of the Alliance of Investigators of Belarus, the Telegram channel "Dapamoga", the Internet page "borby\_org. BOR. Non-governmental organization (NGO). Belarusian Labor Union/Belarus labor union/Bialoruska konfederacja pracownikow", Facebook page "Belaruskaya Pravabarotchaya shkola" (Belarusian Rights defending School) , Telegram-channel "Tsentr novykh idei" (the New Ideas Centre).

By the decision of the State Security Committee (KGB) the "Belarusian Students' Association" and its social networks were recognized as an extremist formation and banned in Belarus. The Supreme Court recognized the "Belarusian Investigative Center", an organization based in the Czech Republic, as an "extremist organization" and banned its activities in Belarus. As before, the practice of recognizing groups of citizens as extremist organizations or extremist formations is unclear, vague and inconsistent. Thus, the organizations previously based abroad - foreign non-profit organization "Professional Union of Belarusians in Britain" (Great Britain), organization "Dapamoga" (Lithuanian Republic), "Fundacja "Reka Wielkiej Pomocy" (Poland) -

were recognized as extremist formations. The "Belarusian Independent Trade Union REP" and Ecodom, registered in Belarus at the time of the decision, were also recognized as extremist formations in a simplified procedure - by decisions of the KGB and the Ministry of Internal Affairs, respectively. While in accordance with the legislation the court had to consider the cases on granting the status of "extremist" to such organizations.

On 8 September a special (in absentia) criminal proceeding was started against the leaders of the recognized terrorist organization "BYPOL": Aliaksandr Azarau, Uladzimir Zhygar, Ihar Loban, Andrey Astapovich, Aleh Talerchyk. These persons were [charged with](#), inter alia, creation and leadership of an extremist formation (part 1 of article 361<sup>1</sup> of the Criminal Code), as well as (except for Andrey Astapovich) creation and leadership of an extremist formation committed repeatedly (part 2 of article 361<sup>1</sup> of the Criminal Code).

A total of 28 persons are included in the "[List of](#) persons in respect of whom special proceedings have been initiated and summoned to the criminal prosecution body" as of 30.09.2023.

### **Legislating.**

[Decree No. 278](#) of 4 September 2023 "On the Procedure of Issuing Documents and Performing Actions" is another normative act in a series of other repressive acts (such as the law on the possibility of deprivation of Belarusian citizenship by birth, norms on special (in absentia) criminal proceedings, etc.) directed against citizens of the Republic of Belarus forced to leave their country, including activists and representatives of civil society organizations.

The Decree restricts the possibility for Belarusian citizens to obtain a number of important documents outside of Belarus, alienate real estate and vehicles, and abolishes the possibility to exchange and extend the validity of passports of Belarusian citizens in Belarusian consular offices abroad. According to the decree, a passport of a citizen of the Republic of Belarus can be exchanged only in the Republic of Belarus upon personal application (for children under 14 years of age, upon application of their legal representative), which is unsafe for many citizens due to persecution, including possible persecution on the territory of Belarus. The passport of a citizen of the Republic of Belarus is issued for 10 years, and for minors under 14 for 5 years. In this connection, citizens of the Republic of Belarus, including minors, whose identity cards have expired (as well as citizens whose passports have been lost, stolen or have fallen into disrepair) may soon find themselves in the territory of a number of countries.

On 20 September, the Special Rapporteurs on the situation in Belarus; on human rights defenders; on freedom of peaceful assembly and association; on freedom of opinion and expression; on counter-terrorism and human rights [issued a joint statement](#) on the ban on issuing Belarusian passports abroad. In it, the organization called on the UN member states not to deport Belarusians upon the expiration of their passports and to promote alternative travel and identity documents that guarantee access to basic services and freedom of movement for Belarusians who cannot safely return to Belarus.