



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

January 2024

The first month of 2024 picked up the trends of the last two and a half years in Belarus: unceasing repression against citizens, civil society organizations, and activists, the intensity of which increases before the elections in the country. The facts of searches, detentions, including those who temporarily left the country when they returned to Belarus, summons to "conversations", and initiation of administrative and criminal cases are also happening.

The liquidation of non-governmental organizations in Belarus doesn't stop. As of the end of January 2024, no less than 969 non-governmental organizations (NGOs) 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 decided on self-liquidation is at least 564 as of the end of January. Consequently, the losses in Belarus's civil sector since the post-election period of 2020 amount to no less than 1,533 institutionalized forms of NGOs, including civic associations, professional unions, political parties, foundations, non-governmental institutions, associations, and religious organizations.

Inspections are carried out at registered organizations. Lawsuits have been filed to suspend the activity of at least 9 sports public associations.

The Belarusian authorities continue to widely use the legislation on countering extremism and counter-terrorism to suppress civil activity, including constantly adding to the list of those involved in extremist and terrorist activities. At the same time, the number of cases related to the financing of extremist activities, and participation in extremist formations is growing. After recognizing the INeedHelpBy initiative (a social project of food assistance to those who suffered from political repressions and are in a difficult financial situation) as an extremist organization, the KGB officers conducted mass searches, interrogations and detentions of relatives and close people of political prisoners, as well as former political prisoners who had recently been released from places of imprisonment (according to the data of HRC "Viasna" repressions affected more than 200 people).

Significant amendments to the Law of the Republic of Belarus "On Freedom of Conscience and Religious Organizations" have been adopted (the new version of the law is approved and will enter into force on July 6, 2024). The document expands the list of grounds for the liquidation of religious organizations, tightens the requirements for their registration, management and

functioning, introduces the regulation of missionary activity, and provides for the re-registration of all religious organizations within a year after the law comes into force.

As of January 31, 2024, there are 1429 people recognized as political prisoners in Belarus, currently held in places of detention.

Forced liquidation of non-governmental organizations¹

As of January 31, 2024, according to [the monitoring conducted by Lawtrend](#), there have been 969 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).

During the monitoring period, the filing of lawsuits for the liquidation of public associations, including those of international and republican status, as well as the foundation (Minsk) was recorded. Lawsuits for liquidation continue to be filed against organizations of various fields of activity. During the monitoring period, lawsuits were filed against sports, social, environmental organizations, and the labor law community. The last organization, after being claimed for liquidation, decided on self-liquidation, which is not the first such practice.

Currently, a lot of questions arise regarding the procedure for liquidating public associations after court decisions on such liquidation enter into force. According to the statutes of most public associations, only a body that decides to liquidate an organization is entitled to establish a liquidation commission, to which all powers to carry out activities related to liquidation are transferred after the liquidation decision. This provision complies with the ones of the Civil Code of the Republic of Belarus but is not observed by registering bodies. In response to requests from forcibly liquidated public associations, they offer to create a liquidation commission either by representatives of the organization or by its governing body. Thus, forcibly liquidated organizations are placed, by the authorities, in the situation of involuntarily violating the law. The law does not answer several questions about transferring property after a liquidation decision, primarily acquired from foreign gratuitous aid or international technical assistance. Many public associations in such a situation don't appoint a liquidation commission and don't begin the liquidation process.

In practice (mainly since July 2023), registration authorities are increasingly excluding from the USR public associations that have not begun the liquidation process after a court decision, even if these public associations have debts to the budget, other creditors, and foreign gratuitous aid on their balance sheets.

The legislative lacuna on the exclusion from the USR of public associations in respect of which the court has decided to liquidate and hasn't created a liquidation commission, which hasn't started the liquidation process on their own, is partially resolved by amendments to the Civil Code

¹ The monitoring only records cases of forced liquidation and self-liquidation of non-governmental 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.

introduced by [the Law of the Republic of Belarus of December 30, 2023 No. 334-Z](#). It states that a public association or religious organization, in respect of which a court decision on liquidation has entered into legal force, shall appoint a liquidation commission (liquidator) itself. If within two months from the date of entry into force of the court decision, the liquidation commission or liquidator is not appointed, the responsibility for carrying out the liquidation passes to the registration authority. Changes to the Civil Code come into force one year after official publication, from January 6, 2025.

Non-governmental organizations deciding on self-liquidation

The process of NGOs independently deciding on liquidation continues. As of January 31, 2024, according to [the monitoring conducted by Lawtrend](#), there have been 564 NGOs (civil associations, foundations, institutions, and political parties) in which the authorized body or founders have decided to liquidate.

During the monitoring period, decisions on independent liquidation were made to public associations (charitable, sports, cultural activities), foundations and institutions.

As before, the decision on self-liquidation is primarily due to pressure on the members and employees of NGOs, an unfavourable legal environment, and the overall socio-political situation in the country. The practice of putting pressure on specific NGOs by authorities to make an independent decision on liquidation continues.

The usage of anti-extremism legislation as a form of pressure on organizations of the civil society

The government extensively uses anti-extremism legislation to suppress civic activity. This trend has persisted in Belarus over recent years. The practice of recognising information products, including initiatives located abroad, as "extremist materials", expanding the lists of citizens, organizations, formations and individual entrepreneurs involved in extremist activities, and bringing citizens to criminal responsibility for allegedly financing extremist activities: transferring donations (donations) to various foundations and organizing and participating in extremist formations, doesn't stop.

The number of criminal cases related to the alleged financing of extremist activities (transferring donations to various initiatives, sometimes regardless of the nature of the activities of these initiatives) is growing rapidly. Thus, [according to the statement of the deputy prosecutor of the Hrodna region](#): "at the moment, the process of identifying crimes related to the financing of extremist activities is actively underway."

During the monitoring period, [extremist materials were replenished](#) with the Telegram chat "Honest Teachers of Belarus", Telegram channel and Telegram chat "Nation of Leaders", Telegram channels "Belarusian Sport Solidarity Foundation/BSSF", "BYSOL: departure and evacuation", YouTube page "BELPOL - Association of Security Forces of Belarus".

The authorities punish citizens for involvement in "extremist groups" retroactively before the relevant decision is made. In addition, the inclusion of an organization in the "extremist list"

and, accordingly, the publication of such a decision does not occur immediately, but after some time, sometimes longer.

On January 15, by the decision of the KGB, the initiative “Free Belarusian University” was recognized as an extremist formation. It is reported that “the initiative carries out extremist activities through several Internet resources and with financial and other support from the Adenauer Foundation, the Polish-American Freedom Foundation, the European Endowment for Democracy, the British Embassy in Minsk, and the delegation of the European Parliament for Belarus.”

On January 16, the INeedHelpBy initiative (a social project of food assistance to those who have suffered from political repression and are in a difficult financial situation) was recognized as an extremist formation. After recognizing the initiative as extremist, KGB officers conducted mass searches, interrogations and detentions of relatives and close political prisoners, as well as former political prisoners who had recently been released from places of imprisonment (according to the Human Rights Center “Viasna”, more than 200 people were subject to mass repressions). The orders for searches included Art. 361-2 of the Criminal Code (financing extremist activities) and Art. 361-11 of the Criminal Code (participation in extremist formation). Criminal cases have been initiated against some citizens under these articles. It is known that Part 2 of Article 24.15 of the Code of Administrative Offenses was applied to several people (the use of foreign gratuitous assistance to carry out terrorist and other extremist activities or other actions prohibited by law). Those involved in other initiatives providing humanitarian assistance were subject to summons to law enforcement agencies and searches.

The project “KOTOS: Local Self-Government” was also recognized as an extremist formation (Olga Tsesakova and Dzmitry Kukhley were included among the persons involved in this formation).

Administrative and criminal prosecution of the leadership and members of civil society organizations, and activists.

Registration authorities conduct inspections of registered organizations. About at least 9 sports organizations, the main department of justice of the Minsk City Executive Committee filed claims to suspend their activities: Youth public association "Street Sports Federation", Youth public association "Surfing and Kite Sports Federation", Sports public association of amateur sports, Youth public association "Sports Club "Legend", Youth sports public association "Sports club "Knockout", Public association "Triathlon Club "Tristyle", Public association "Federation of Krav Maga", Sports public association "Football club "Torpedo", Youth public association "Wushu". The consideration of the lawsuits by the court is scheduled for the end of January - the first half of February. The youth sports public association “Sports Club “Knockout” decided to liquidate itself without waiting for a judicial review. The youth sports public association "Sports Club "Knockout" decided to self-liquidate, without waiting for a judicial review.

On January 3, it became known that the domain name Baj.by had been deprived of the Belarusian Association of Journalists, its owner, allegedly in connection with identified violations.

On January 23, former political prisoner Mikhail Zhamchuzhny, co-founder of the forcibly liquidated in 2015 human rights organization Platform Innovation, was detained. In February 2021, he fully served his sentence of 6.5 years in prison.

A criminal case was opened against human rights activists Pavel Levinau and Iryna Tretstsiakova (Viciebsk) under Part 2 of Art. 342 of the Criminal Code (training or other preparation of persons to participate in group actions that grossly violate public order, as well as financing or other material support for such activities), they were put on the wanted list.

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 (listed as involved in extremist activities, sentenced to 10 years of imprisonment in a colony under high security conditions);
- Viasna Board member and FIDH Vice-President Valiantsin Stefanovich (listed as involved in extremist activities, sentenced to 9 years of imprisonment in a colony under high security conditions);
- Lawyer, coordinator of the campaign "Human Rights Defenders for Free Elections", Uladzimir Labkovich (listed as involved in extremist activities, sentenced to 7 years of imprisonment in a colony under high security conditions);
- human rights defender Nasta (Anastasiya) Loika (included in the list of persons involved in terrorist and extremist activities; sentenced to 7 years of imprisonment in a correctional colony of the general regime).

In places of deprivation of liberty, other representatives of civil society organizations continue 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 (included in the list of individuals involved in terrorist and extremist activities, 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 Kastsuhova (included in the list of individuals involved in extremist activities, 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 (included in the lists of individuals involved in terrorist and extremist activities and sentenced to 13 years in a high-security correctional facility),
- art manager Uladzimir Bulauski (included in the list of individuals involved in extremist activities and sentenced to 2 years in a general regime colony),
- former leader of the crowdfunding platforms Ulej and MolaMola, Eduard Babaryka (included in the list of individuals involved in extremist and terrorist activities, sentenced to 8 years in a high-security colony),
- Pavel Mazheika, a cultural figure and Hrodna activist who headed the "City Life Center" (sentenced to 6 years of imprisonment in a high-security colony, included in the list of individuals involved in extremist activities).

[According to Solidarity](#), an organization of trade union leaders and activists who were forced to leave Belarus, currently, there are 42 trade union activists and leaders of democratic trade unions 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).
- 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). Vasil has serious health problems.

- 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").

After serving her full sentence (2 years), one of the leader of the REP trade union, Zinaida Mikhniuk, was released.

The Investigative Committee began the process of special (absentia) criminal proceedings against 20 independent analysts. The department [considers](#) that they “joined a conspiracy to seize state power in the Republic of Belarus through unconstitutional means, and joined extremist formations created to ensure the effectiveness of criminal activities.”

Special proceedings have also been initiated against the Executive Secretary of the Coordination Council, Ivan Krautsou, including under Part 1 of Art. 361-1 of the Criminal Code (creation of an extremist group or participation in it).

Against the backdrop of ongoing repression, on January 26 2024, Lukashenka signed [decree No. 33](#), which provides for an extension until December 31, 2024, of the deadline for filing applications with the commission to consider appeals from Belarusian citizens abroad regarding the commission of offences.

Budgetary financing of non-governmental organizations.

On December 27, 2023, the [Law of the Republic of Belarus No. 328-Z “On the Republican Budget for 2024”](#) was adopted.

According to the law, public associations can be allocated funds from the republican budget by the decision of the President of the Republic of Belarus (this norm has been appearing from law to law on the republican budget for the year for several years now).

The law establishes the allocation of budget funds to the following public associations:
Public association "Union of Writers of Belarus" (funding amount - 613,792.0);

Public association "Belarusian Republican Youth Union" (funding amount - 12,818,487.0).

The allocation of funds to pro-government organizations from the budget is also provided for by decisions on local (regional, district, city) budgets.

Thus, the Decision of the Homiel Regional Council of Deputies dated December 27, 2023, No. 508 "On the regional budget for 2024" provides for the allocation of budget funds to the Homiel regional branch of the public association "Union of Writers of Belarus" (40,241.00), the Homiel regional organization of the public association "Belarusian Republican Youth Union" (34,150.00)

The decision of the Brest Regional Council of Deputies dated December 28, 2023, No. 442 "On the regional budget for 2024" provides for the allocation of budget funds to the Brest regional branch of the public association "Union of Writers of Belarus" (39,762.00), the Brest regional organization of the Public Association "Belarusian Republican Youth Union" (19,074.00)

The decision of the Babruisk district council of deputies dated December 28, 2023, No. 62-2 "On the district budget for 2024" provides for funding for the Babruisk district organization of the public association "Belarusian Republican Youth Union" (3,043.00) and so on.

Changes to the law on religious organizations

[The Law of the Republic of Belarus dated December 30, 2023 No. 334-Z](#) adopted the Law of the Republic of Belarus dated December 17, 1992 No. 2054-XII "On freedom of conscience and religious organizations" in a new edition. The new provisions of the law come into force six months after its official publication, on July 6, 2024.

Religious organizations in the Republic of Belarus, by the law, are recognized voluntary associations of citizens of the Republic of Belarus (religious communities) or religious communities (religious associations), united based on their common interests to satisfy religious needs and disseminate information about their faith, as well as monasteries, monastic communities, religious brotherhoods and sisterhoods, religious missions, religious educational institutions registered as a legal entity.

The document expands the list of grounds for the liquidation of religious organizations, tightens the requirements for their registration and operating procedures, and introduces regulation of missionary activity. Thus, to create a republican religious association, it must include either local religious associations representing all regions and the city of Minsk, or religious communities from all regions of Belarus and the city of Minsk. The number of the latter required to create a republican association has been increased from 10 to 15. It is also determined that at least one of the communities must operate for at least 30 years (20 years in the current law).

Law No. 334-Z establishes for all religious organizations registered before July 6, 2024, the obligation, within a year after this date, to bring their charters into compliance with the new

requirements of the law on religious organizations and undergo the re-registration procedure or make a decision on liquidation.