

# **FREEDOM OF ASSOCIATION AND LEGAL ENVIRONMENT FOR CIVIL SOCIETY ORGANIZATIONS**

Review for 2023. Belarus.



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## LIST OF ABBREVIATIONS

**CSO** – CIVIL SOCIETY ORGANIZATION

**NPO** – NON-PROFIT ORGANIZATION

**BWU** – BELARUSIAN WOMEN`S UNION

**BRSM** – BELARUSIAN REPUBLICAN YOUTH UNION

**FPB** – FEDERATION OF TRADE UNIONS OF BELARUS

**USR** – UNIFIED STATE REGISTER OF LEGAL ENTITIES AND  
INDIVIDUAL ENTREPRENEURS

## SUMMARY

The situation in the field of freedom of association is in line with the general situation of **unprecedented human rights violations in Belarus.**

Restrictions on freedom of association in Belarus, including by the new 2023 legislation and law enforcement, do not comply with the permissible and proportionate restrictions established by international standards and the Constitution of the Republic of Belarus.

FREEDOM OF ASSOCIATION IN THE COUNTRY IS PRACTICALLY ANNULLED; THE AUTHORITIES **INTERFERE WITH THE EXERCISE OF THIS RIGHT WITH IMPUNITY.**

## 2

**Various forms of repression** have been used against civil society organizations and their members in Belarus:

- raids,
- inspections,
- suspension of activities,
- written warnings,
- blocking of websites,
- administrative and criminal prosecution of civil society organizations representatives,
- summons for talkings,
- pressure on their beloved.

IT HAS BECOME A COMMON PRACTICE TO FORCE PUBLIC ASSOCIATIONS TO **EXCLUDE CERTAIN PEOPLE** FROM THEIR MEMBERSHIP.

## 3

Forced liquidating and coercing to make a decision on self-liquidation of non-profit organizations have not stopped. Compared to 2021-2022, the number of organizations which were decided to liquidate has slightly decreased:

- in 2023, there were at least **336** lawsuits/decisions on forced liquidation and self-liquidation,
- in 2022, **681** ones were fixed

However, this is primarily due to the **huge pace of the liquidation** in the previous two years.

Consequently, the losses in Belarus's civil sector since the 2020 post-election period amount to **no less than 1,509** institutionalized forms of non-governmental organizations, including civic associations, professional unions, political parties, foundations, non-governmental institutions, associations, and religious organizations.

## 4

After the continuous attack on independent public associations and trade unions, the authorities paid their attention to political parties and religious organizations.

AS A RESULT OF THE 2023 RE-REGISTRATION, **FOUR PRO-GOVERNMENTAL PARTIES** REMAINED IN THE COUNTRY, INCLUDING THE NEW PARTY OF "SUPPORTERS OF LUKASHENKO" BELAYA RUS ESTABLISHED IN THE SAME YEAR.

The approved amended version of the law "On Freedom of Conscience and Religious Organizations" (came into force on 6 July 2024) provides for **re-registration of all religious organizations**.

Significant pressure, including criminal prosecution, was exerted on clergymen; the religious community of full gospel Christians "The New Life Church" was liquidated, **its online accounts content was recognized as "extremist"**.

## 5

The use of legislation on countering extremism and combating terrorism to **suppress civic engagement continued**. The number of criminal cases related to organizing and participating in 'extremist formations' has highly increased. At the same time, recognizing civil initiatives, including previously liquidated non-profit organizations, as extremist formations has expanded.

**Civic solidarity is suppressed:** people are punished for donations to solidarity funds and other initiatives. Their punishment is mostly selective: from summoning people for talkings and forcing them to pay large amounts into specially created accounts to criminal liability

THE NUMBER OF **CRIMINAL CASES** FOR "FINANCING OF EXTREMIST ORGANIZATIONS" RISES STEADILY AS WELL



## 6

**A large number of legislative acts** directly regulating the activities of NPOs were adopted: the Law of the Republic of Belarus "On the Foundations of Civil Society", amendments to the laws on public associations and political parties, the amended version of the law "On Freedom of Conscience and Religious Organizations".

The amendments establish a **hierarchy** of non-profit organizations according to the criterion of their interaction with the state, **new requirements** for republican and international public associations and the obligation to bring their charters into compliance with them, as well as **re-registration** of political parties and religious organizations. **New reporting rules** for political parties were adopted, increasing the volume of reporting forms to be submitted to the regulatory authorities. Meanwhile, the amendments to the Edict of the President of the Republic of Belarus No. 300 of 1 July 2005 "On the Provision and Use of Gratuitous (Sponsorship) Aid" announced in the legislative drafting activities plan for 2023 were **neither published nor adopted**.

## 7

Laws were adopted that allow civil initiatives, including unregistered ones, to receive funding from a local budget on a competitive basis (in fact, participatory budgeting).

THIS IS UNDOUBTEDLY A **PROGRESSIVE STEP**.

However, under conditions of

- mass repressions,
- lack of free access to information,
- liquidation of NGOs,
- prosecution for activism,
- criminal liability for organizing and participating in unregistered organizations,
- governmentalization of the non-profit sector,

these laws become a ground for **abusing as well as discriminating against certain initiatives**.

## 8

The repressions affect CSO representatives **not only in Belarus, but also those who were forced to leave** the country. The latter are subject to criminal prosecution under the 'special proceedings' (in absentia): their premises are raided and their property is seized (e.g., the "Coordination Council case").

In September 2023, the special Edict No. 278 abolished an opportunity of exchanging a passport of a citizen of the Republic of Belarus outside the Republic of Belarus, which, in turn, created a **large number of legalization problems** for activists.

## 9

The CSOs and their members who found themselves in new jurisdictions have faced new challenges, including concerning legalization, taxation, the need to understand legal framework for establishing and operating NGOs in the countries of location.

The most significant troubles for CSOs that forcibly left Belarus are as those with **opening and functioning of bank accounts**, as those arising directly from the staying abroad of their members:

- difficulties in **obtaining visas**,
- **refusals** to issue permissions or **delayed consideration** of documents submitted for legalization.

Due to the adoption of the Presidential Edict No. 278, some CSO representatives, primarily in Georgia, faced the challenge of **new relocation**.

## 10

The **governmentalization of CSOs continues** inside the country: through pressing some organizations, the authorities support the activities of other ones. Representatives of pro-governmental organizations, such as BWU, BRSM and Belaya Rus, are included in public councils and awarded with diplomas.

Pro-governmental associations implement various projects on the ground – announce regional projects supported by the authorities that are joined by people not only under compulsion, but also because of the lack of alternatives.

**Discrediting CSOs** in the state-run media and Telegram channels, in particular, in the presidential administration`s newspaper SB-Belarus Segodnya have been preserved.

## 1. STATISTICS. REGISTRATION OF NON-PROFIT ORGANIZATIONS

According to official statistics, **2,408 public associations and 20 trade unions** were registered in Belarus as of 1 July 2023. The last official statistics on registered NGOs were published on 1 January 2024.

- **4** political parties and **1,015** party organizations,
- **19** trade unions (15 republican trade unions, 1 territorial and 3 trade union organizations) and **28,367** trade union organizations,
- **1,973** public associations (177 international, 572 republican and 1,224 local) and **46,706** public association organizations,
- **44** unions (associations) public associations, as well as **7** republican state-public associations,

**WERE REGISTERED IN BELARUS.**

It is important to note that the official statistics do not reflect a complete picture of the number of registered public associations, as they take into account associations **being in the process of liquidation and are not excluded from the Unified State Register** of Legal Entities and Individual Entrepreneurs (it needs for a legal entity to be considered liquidated).

INFORMATION ON **THE NUMBER OF REGISTERED**  
ESTABLISHMENTS AND ASSOCIATIONS OF LEGAL ENTITIES IS  
NOT PUBLICLY AVAILABLE.

Currently, only a few of the initiatives, including liquidated NPOs, **attempt to re-register** as a non-profit organization.

Lawtrend specialists, based on the information from open sources, analyzed the quantitative composition of non-profit organizations registered in Belarus, excluding organizations being in the process of liquidation.

According to the data received, as of 31 December 2023, **about 2,330 non-profit organizations of the three legal forms are registered** in Belarus: public associations (**1,761**), foundations (**118**), and non-governmental establishments (**451**). The number of these organizations may vary within several dozens due to the ongoing liquidation process and the lack of official generalized information on registering NPOs of various forms.

In terms of activity areas, the largest number of registered organizations is represented by sports or dance organizations - **675**, as well as charitable, social, or health protection ones - **374**, excluding organizations that unite or work with some specific target groups, e.g. people with disabilities (**62**).



In total, **156** non-profit organizations have been registered and are not in the process of liquidation from 1 January 2021 to 31 December 2023. Of these, **90 are in the form of establishments** (main areas of activity: sports, social and charitable, educational, environmental establishments, animal protection); **6 are foundations** (charitable and "The Fund of the First"), **public associations - 60** (sports, consumer protection, search, rescue and patriotic, animal protection, people with disabilities, associations of fathers).

There are decisions on **forced liquidation or self-liquidation** in relation to **more than 10 non-governmental establishments** registered from 2021 to 2023, some of them have existed for only a few months. Thus, on 30 April 2021, the Private Social Establishment Take and Do was registered, on 29 July 2021, the Mozyr District Executive Committee (local government) made a decision to liquidate it; on 7 March 2023, the Information and Consulting Establishment for Sustainable Regional Development Initiatives Workshop was registered, on 26 June 2023, it decided to self-liquidate and, on 20 October 2023, was excluded from the Unified State Register.

<sup>1</sup> For more details, see lawtrend.org

(<https://www.lawtrend.org/publications/analiz-nko-zaregistrirovannyh-v-belarusi-na-konets-2023-goda>)

IN SOME CASES, THE REGISTRATION OF A NEW ORGANIZATION IS DIRECTLY CARRIED OUT **WITH THE KNOWLEDGE OF THE AUTHORITIES OR BY THEIR ORDER.**

Since 2021, there have been registrations of genuine GONGOs. Thus, on 25 October 2022, the Foundation of the First President of the Republic of Belarus "The Fund of the First" was registered, which was positioned as an umbrella structure for charitable organizations, but did not show any public activity in 2023.

On 22 July 2022, the Minsk City Executive Committee registered at least 14 governmental establishments with names similar to non-profit organizations, for example, the State Research Establishment AeroPlus, the State Information and Consulting Establishment MarVikGroup, the State Cultural and Educational Establishment Pulse of Life.

**THE TREND OF REGISTERING PRO-GOVERNMENTAL STRUCTURES CONTINUED IN 2023.**

## 2. NEW LEGISLATION REGARDING CIVIL SOCIETY ORGANIZATIONS

In 2023, a large number of legislative acts directly regulating operating non-profit organizations were adopted:

- the Law of the Republic of Belarus "On the Foundations of Civil Society",
- amendments to the laws on public associations and political parties,
- an amended version of the law "On Freedom of Conscience and Religious Organizations".

The Law of 14 February 2023, No. 250-3 "[On the Foundations of the Civil Society](#)" (came into force on 19 May 2023) in fact established a hierarchy of non-governmental organizations depending on their interaction with the state:

- 1** civil society actors (national public associations and trade unions, public associations and trade unions with special relations with the state, to which five subjects are referred: the Belaya Rus republican public association, the Belarusian Public Association of Veterans, the Belarusian<sup>2</sup> Republican Youth Union (BRSM) public association, the Belarusian Women's Union public association, and the Federation of Trade Unions of Belarus);
- 2** membership-based forms of NGOs classified as civil society actors, whose activities correspond to the list of tasks of interaction between state bodies and civil society established by law;
- 3** other NGOs not classified as civil society actors.

<sup>2</sup>These organizations, as well as the association Belarusian Peace Foundation are the main subjects, whose representatives are included by the authorities in the electoral commissions, like during the preparation for the elections of 25 February 2024.

On 14 February, [the Law of the Republic of Belarus No. 251-3 "On amending laws on the activities of political parties and other public associations"](#) was adopted. For public associations, [the law in general does not change](#) either the procedure for registering or the procedure for operating: it introduces as positive technical norms (for example, partial submitting documents for online registration), as ones aimed at further restricting freedom of association.

For example, new requirements are established for republican associations - the existence of organizational structures in all regions of Belarus and the city of Minsk, with a mandatory legal address in non-residential premises; and for international ones -- the mandatory existence of organizational structures in Belarus and abroad, as well as associations. The conditions for establishing and operating political parties were considerably [changed](#). Thus, the law increases the minimum number of founders (members) required for establishing and operating of parties from 1000 to 5000 (at that, at least 100 founders (members) are required from each of the regions and the city of Minsk).

The law provides for mandatory re-registration of political parties.

[The Law of the Republic of Belarus dated 30 December 2023, No. 334-3](#) amended the Law of the Republic of Belarus dated 17 December 1992, No. 2054-XII "On freedom of conscience and religious organizations".

The new law provisions are to come into force six months after its official publication, on 6 July 2024.

The document [expands](#) the list of grounds **for liquidation** of religious organizations (including committing actions against the sovereignty of the Republic of Belarus, the fundamentals of domestic and foreign policy of the Republic of Belarus, its constitutional order, and civil harmony; aimed at discrediting the Republic of Belarus; and extremist activities), and toughens the requirements for their registering and functioning.

Thus, **for establishing 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 **WAS 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). The law introduces restrictions for leaders and founders of religious organizations: they must not be the persons included in the lists of those involved in extremist and terrorist activities, leaders must be citizens of Belarus and permanently reside in the country.

The law No. 334-3 establishes for all religious organizations registered before 6 July 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.**

New reporting rules for political parties were established, increasing the amount of reporting required to be submitted to the regulatory authorities ([Resolution of the Ministry of Justice of the Republic of Belarus of 21 March 2023 No. 19 "On Amending Resolution of the Ministry of Justice of the Republic of Belarus of 30 October 2020 No. 153-1 "](#)).

The Law of the Republic of Belarus of 13 December 2023 No. 318-3 ["On Amendments to Laws on Social Services and Social Payments"](#), including the new edition, sets out the Law "On Social Services". The law establishes that non-governmental non-profit organizations, in accordance with their goals as defined by the charter, in the field of social services can take part, inter alia, in providing social services, including within the framework of the state social order, financed by subsidies to non-governmental non-profit organizations for providing social services and implementing social projects; improving legislation and practical activities in the provision of social services; research activities, etc. The amended version of the law, similar to the current one, contains general rules on the mechanism of the state social order.



Licensing is being introduced for non-governmental legal entities and individual entrepreneurs who provide residential social services to the elderly and disabled (the norm is to come into force on 1 July 2024). The licence will be issued by local authorities at the location of the social service facility. The deadline for obtaining a licence is until 1 October 2024. After this date, providing accommodation for the elderly and people with disabilities as social services without a licence are prohibited.

Despite the greater number of restrictive norms introduced in 2023, they (besides the establishment of compulsory re-registration in relation to political parties and trade unions, changed requirements for republican public associations) are adopted rather by inertia. More and more toughening of laws against individuals, including normative legal acts that complicate their communication with a part of civil society staying abroad or are directly aimed against Belarusians forced to leave the country gains greater practical importance.

Thus, on 4 September 2023, [the Presidential Edict No. 278](#) "On the Procedure of Issuing Documents and Performing Actions" was adopted - another normative legal act **in a series of the repressive acts** (such as the law allowing the 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 Edict restricts an opportunity for Belarusian citizens to obtain a number of important documents outside Belarus, as well as to alienate real estate and vehicles, and abolishes renewing passports of citizens of the Republic of Belarus in Belarusian consular offices abroad.

THIS DECREE CREATED **ADDITIONAL DIFFICULTIES WITH THE LEGALIZATION** OF ACTIVISTS OUTSIDE BELARUS.

The most vulnerable are the citizens of Belarus in Georgia and other countries where there is **no issuing an alien's passport** in case of expiration, loss, or damage of a Belarusian passport, as well as there are **no or rare cases of positive decisions on international protection**.

### 3. FINANCIAL ACTIVITIES OF CSOS: SITUATION AND CHANGES IN 2023

[The Law of the Republic of Belarus No. 281-3 of 12 July 2023](#) (entered into force on 21 October 2023) [amended](#) the Law No. 108-3 of 4 January 2010 "On Local Governance and Self-Governance in the Republic of Belarus", allowing civic initiatives, including unregistered ones, to receive **funding from a local budget** on a competitive basis (in fact, participatory budgeting).

The norm on financing of civil initiatives was introduced into the law based on the **Program of Social and Economic Development of Belarus for 2021-2025** approved by the Presidential Decree No. 292 of 29 July 2021, according to which every local budget is formed taking into account the initiatives of civil society.

Initiative (participatory) budgeting, as a mechanism for involving people in decisions on choosing priorities for budget spending, as well as subsequent public control over the spending of funds, is widespread in the world.

The adoption of such law is undoubtedly a **progressive step**.

However, in the context of mass repressions, lack of free access to information, liquidation of NGOs and prosecution for activism, criminal liability for organizing and participating in unregistered organizations, and governmentalization of the non-profit sector, the law becomes **a basis for abuse and discrimination** of some initiatives against others.

In practice, competitive tenders for funding of civic initiatives have been held in Belarus for several years already - since 2020-2021, before the adoption of the law. For example, in [the Hrodna and the Homel regions](#).

[The tenders procedures](#) were developed in the absence of the adopted legal norms.

Having set forth the financing provisions by law, the amount of funds distributed under this mechanism increases. However, the total number of applications for public funding under this mechanism has decreased by an order of magnitude compared to previous years.

It is noted that state bodies and educational institutions **have to encourage themselves local initiatives to show interest** in this mechanism and apply for support for civic initiatives.

In general, state funding of non-profit organizations in Belarus is not developed. On 27 December 2023, [the Law of the Republic of Belarus No. 328-3 "On the Republican Budget for 2024"](#) was adopted.

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

THE LAW ESTABLISHES THE ALLOCATION OF BUDGET FUNDS  
TO THE **FOLLOWING PUBLIC ASSOCIATIONS:**

- the Public Association "Union of Writers of Belarus" (funding amount - 613,792.0);
- the Public Association "Belarusian Republican Youth Union" (funding amount - 12,818,487.0).

Allocation of funds to pro-governmental organizations from the budget is also stipulated by decisions on local (regional, district, or city) budgets.

Few cases of registration of foreign gratuitous aid received by non-commercial organizations were recorded. At the same time, there is an obvious focus on attracting foreign gratuitous aid to the country by state structures.

Thus, on 17 May, a seminar-meeting "On the work of state institutions to attract foreign gratuitous aid" was [held](#) in the Grodno region (similar events were held repeatedly, both in the second half of 2022 and in 2023). **In order to attract foreign gratuitous aid, in 2023, state bodies and institutions, in particular educational institutions, were guided by the:**

- [Package of Measures on Attracting Foreign Gratuitous Aid to the Republic of Belarus for 2021-2023,](#)
- [regional plans](#) for the implementation of these measures,
- [the Concept of Humanitarian Cooperation for the Period up to 2025.](#)

In a number of institutions, creative groups on implementing the Package of Measures were created, plans for promoting activities on attraction of foreign gratuitous aid, etc. were elaborated.

In general, the Department for Humanitarian Activities of the Presidential Affairs Directorate actively works to disseminate information on attracting foreign gratuitous aid. Whereas, there is no available information on the amount of foreign gratuitous aid attracted to Belarus in 2023, projects registered with the Department and donors supporting them.

FOREIGN FINANCING, INCLUDING OBTAINED BY BELARUSIAN STATE BODIES AND ORGANIZATIONS, **HAS NOT BEEN A TRANSPARENT PROCESS** IN BELARUS FOR MANY YEARS.

The amendments to the Decree of the President of the Republic of Belarus No. 300 of 1 July 2005 "On the provision and use of gratuitous (sponsorship) aid", announced in the plan of legislative activity for 2023, **were neither published nor adopted.**



The Human Rights Center Viasna`s case, when human rights defenders Ales Bialiatski, Valiantsin Stefanovich, Uladzimir Labkovich, Dzmitry Salaiou were sentenced to **long prison terms**, including under Article 228(4) of the Criminal Code (smuggling - illegal carrying cash in large amounts across the customs border of the Eurasian Economic Union by an organized group), is a vivid example of a significant restriction of access to funding.

THE RECEIPT OF **LEGAL AMOUNTS OF CASH** FROM A FOREIGN STATE FOR THE PURPOSES OF THE ASSOCIATION'S ACTIVITIES HAS BEEN QUALIFIED LIKE THIS.

The human rights activists were given heavy fines, and an order was issued for the recovery of 752,438,62 Belarusian rubles (almost \$300,000), which they allegedly "obtained by criminal means" through "smuggling by an organized criminal group".

#### 4. THE USE OF LEGISLATION ON COUNTERING EXTREMISM AND COMBATING TERRORISM TO SUPPRESS CIVIC ACTIVISM

The legislation on countering **extremism and combating terrorism** continues to be a tool of pressure on civil society organizations and public activists. At the same time, this is presented by the state as compliance with international rules and standards in this area, in particular in connection with legal restrictions to prevent threats to national security.

Recognizing the information content published by associations, including initiatives located abroad, as "extremist materials" and expanding the lists of citizens, organizations, formations, and individual entrepreneurs involved in extremist activities is ongoing. The number of **criminal cases** over organizing and participating in extremist formations has been increasing significantly.

Compared to the previous period, the number of structures included in [the List](#) of Organizations, Formations, Individual Entrepreneurs Involved in Extremist Activities has slightly decreased: if in 2022, **80** structures were included, in 2023, just **62** ones.

However, in 2023, there is an increased number of associations and initiatives not belonging to media outlets and social networks, including previously liquidated organizations, recognized as extremist formations. Thus, in 2022, only the trade union REP and the environmental association Ekodom were CSOs in the process of liquidation among those classified as extremist formations. In 2023, **at least 4 previously liquidated organizations** were referred to extremist formations so far: the Belarusian Association of Journalists (deprived of registration in 2021), the Human Rights Center Viasna (deprived of registration in 2003), the Association of Belarusian Students (deprived of registration in 2001), and SIMPA (deprived of registration in 2021).

All in all, **at least 25 public groups which are not media outlets, Telegram chats, or social networks** were included in the List in 2023.

Disseminating publications of a structure recognized as an extremist formation, participating in its surveys or training programs, financing and other supporting its activities, as well as joining the ranks of its members may be treated as a criminal offences under Articles 361-1, 361-2, 361-4<sup>1</sup>, or 361-5<sup>2</sup> of the Criminal Code.

The inclusion of an organization in the "Extremist List" and, accordingly, announcing such a decision does not happen immediately, but after a period of time, sometimes a long time. A decision to recognize a group of individuals as an "extremist formation" does not require a court hearing, but only a decision of the Ministry of Internal Affairs or the State Security Committee (KGB), which may be taken, inter alia, in connection with "abetting extremist activity", is sufficient.

**People do not have access to the information on the specific reasons for recognizing their actions as extremist.** In practice, a group of individuals - participants of extremist formations – often includes people who have nothing to do with the initiative. This simplified mechanism of declaring groups of individuals as "extremist formations" **jeopardizes any manifestations of self-organization and solidarity**, in response to systemic and gross violations of human rights as well.

In 2023, mass summoning "for talkings" to the State Security Committee (KGB) in connection with donations to solidarity funds and other structures became widespread.

The donors are asked to formally plead guilty to a criminal offence and pay informal, not provided for by law, compensation in tenfold or more (sometimes fiftyfold) to special accounts, usually of state social infrastructure facilities (hospitals, children's homes).

According to the Chief of the Investigative Committee, the amount of paid "charitable donations" (following the financing of extremist activities), at the end of last year, has already exceeded 37 million Belarusian rubles.

THE NUMBER OF **CRIMINAL CASES** CAUSED BY THE DONATIONS MADE HAS ALSO SCALED UP MASSIVELY.

**BELARUSIAN BANKS` TRANSFERS DATA** AND THE RESULTS OF PEOPLE`S **GADGETS EXAMINATION** ARE USED AS EVIDENCE IN THOSE.

Any **donations through Facebook** in the summer-autumn 2020 are classified as those addressed to extremist formations, since it was at this time that human rights initiatives and peer support groups for assisting victims of repression raised large funds transferred via this social network.

**A vivid example of punishing people** for allegedly financing extremist activities is a [criminal case](#) against live broadcast participants of the Online Marathon of Solidarity with Political Prisoners "We Care."

## 5. LIQUIDATION OF NON-PROFIT ORGANIZATIONS

In accordance with the Law of the Republic of Belarus of 14 February 2023 "On Amendments to the Laws on the Activities of Political Parties and Other Public Associations", all political parties were re-registered.

In order to be re-registered, parties had to meet the new requirements established by the law.

In particular, if before the adoption of the new law each party needed to have at least one thousand members, then after it - **at least five thousand members** permanently residing in Belarus.

**The requirements to the existence of organizational structures significantly changed:** if the earlier law required parties to have organizational structures **in most of the regions of Belarus and in the city of Minsk**, the amendments to the law stipulated they must be in all regions of the Republic of Belarus and in the city of Minsk, as well as district and (or) city organizational structures **in at least one third** of the districts and regionally governed cities of each region of the Republic of Belarus and district organizational structures in at least one third of the districts of the city of Minsk.

A list with surname, name, patronymic, date of birth, citizenship, place of residence, place of work (study), contact telephone number of each member of a political party was among the documents to be submitted by a party for re-registration. Obviously, the provision of such information about members of opposition parties could cause their further persecution.

OBVIOUSLY, THE PROVISION OF SUCH INFORMATION ABOUT  
MEMBERS OF OPPOSITION PARTIES COULD CAUSE THEIR  
**FURTHER PERSECUTION.**



As a result of the re-registration, three pro-governmental parties were re-registered, out of 15 political parties registered at the beginning of the year:

- the Liberal Democratic Party,
- the Communist Party of Belarus, and the Republican
- Party of Labor and Justice.<sup>3</sup>

In addition, the party of "Lukashenko supporters" Belaya Rus established after the adoption of amendments to the law is of the registered status.

Having started a campaign of mass liquidation of public associations, foundations, and non-governmental establishments in 2021, the authorities **liquidated independent trade unions** in 2022, **opposition and other undesirable political parties** in 2023, while **re-registration of all religious organizations** is planned for 2024. Without waiting for the re-registration process, the Religious Community of Full Gospel Christians 'The New Life Church' was liquidated following its information resources having been recognized as extremist.

<sup>3</sup> Eleven political parties were forcibly liquidated; the Belarusian Agrarian Party decided to self-liquidate.

**New cases** of public associations liquidation can be expected in 2024 to be justified with the potential failure of certain legal entities to bring their charters in compliance with the new requirements of the law "On Public Associations" by 4 March 2024. In connection with the changed provisions, first of all, on the organizational structure of republican and international public associations, the need to amend a charter affects specifically these associations.

THE EXAMINATION OF OFFICIAL SOURCES (FOR EXAMPLE, THE UNIFIED STATE REGISTER) SHOWS THAT AS OF THE END OF 2023 **ONLY A SMALL NUMBER OF REPUBLICAN AND INTERNATIONAL PUBLIC ASSOCIATIONS FULFILLED THIS LEGAL REQUIREMENT AND AMENDED THEIR CHARTERS.**

In general, by the end of 2023, the number of CSOs forcibly liquidated reached the figure of **960**.

In 2021-2023,

- at least **8** unions of legal entities (including the Belarusian Congress of Democratic Trade Unions),
- **680** public associations,
- **11** political parties,
- **4** trade unions, one religious organization,
- **191** non-governmental establishments,
- and **65** foundations

were forcibly liquidated by courts and registration bodies decisions or had liquidation suits filed against them.

In 2023, public associations, foundations, and non-state establishments of various kinds of activity were in the process of forced liquidation: social, charitable, women's, environmental, sports, professional, cultural and educational, uniting national minorities, etc.

In addition, as of the end of 2023, at least **549 organizations** are known that decided to self-liquidate, including

- at least **17** unions of legal entities,
- **377** public associations,
- **122** non-governmental establishments,
- **32** foundations,
- and **one** political party.

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.

Sometimes liquidation claims are filed against organizations that have decided to self-liquidate. Thus, [according to the schedule of court hearings](#), a hearing on the liquidation case of the Minsk public association Association of Personnel Officers was scheduled for 28 November 2023 (before this, the consideration of this case had been indicated in the court hearing schedule for 5 September 2023).

At the same time, [according to the Unified State Register of Legal Entities and Individual Entrepreneurs \(USR\)](#), on 28 August 2023, this organization had decided to self-liquidate, and on 17 November 2023, the organization had been excluded from the Unified State Register.

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 charters 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 do not begin the liquidation process.

In practice (mainly since July 2023), registration authorities are increasingly excluding public associations that have not begun the liquidation process after a court decision from the USR, 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 has not created a liquidation commission, which has not started the liquidation process on their own, is partially resolved by amendments to the Civil Code introduced by [the Law of the Republic of Belarus of 30 December 2023 No. 334-3](#). It states that a public association or a 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, a liquidation commission or a liquidator is not appointed, the responsibility for carrying out the liquidation passes to the registration authority. The amendments to the Civil Code is to come into force in a year after official publication, from 6 January 2025.

## AN ANALYSIS OF THE OVERALL STATISTICS SHOWS

the losses in Belarus's civil sector since the 2020 post-election period amount to no less than **1,509** institutionalized forms of non-governmental organizations, including civic associations, professional unions, political parties, foundations, non-governmental establishments, associations, and religious organizations.<sup>4</sup>

<sup>4</sup>The data is as of 31 December 2023, according to Lawtrend, a human rights organization that monitors the liquidating based on open source information, <https://www.lawtrend.org/liquidation-nko>



## 6. ADMINISTRATIVE AND CRIMINAL PROSECUTION OF CIVIL SOCIETY ORGANIZATIONS REPRESENTATIVES, OTHER PRESSURE ON CSOS AND THEIR MEMBERS

Forced liquidation and coercion of non-profit organizations to self-liquidate, recognition of them as extremist formations are only some of the numerous tools of pressure on civil society organizations and their representatives.

A store of the authorities includes raids, interrogations, summons for 'talkings', recruitment, pressure on family members and close ones, blocking bank accounts, blocking websites, written warnings, suspension of activities, etc. A common practice in 2023 was forcing public associations to exclude certain people from their membership. For example, it [became known](#) about the expulsion of political prisoner Ales Pushkin (a few weeks before his death in captivity) and **nine** other members from the Belarusian Union of Artists. In 2023, the Ministry of Justice [carried out](#) inspection measures against more than a thousand public associations. Written warnings were issued to **410** non-profit organizations.

Representatives of civil society organizations are subjected to administrative arrests. Criminal proceedings are initiated against those belonging to organizations of various activity areas (human rights, environmental, cultural, educational, social, think tanks, etc.) under various articles, including those related to organizing and participating in an extremist formation.

More than a hundred civil society organizations representatives are imprisoned<sup>5</sup> and are regularly included in the lists of persons involved in extremist and/or terrorist activities.

Thus, according to the data of [Salidarnast](#), an organization of trade union leaders and activists who were forced to leave Belarus, **44 democratic trade unions` activists and leaders** were in Belarusian prisons at the end of December 2023.

Both activists inside Belarus and those who fled the country are persecuted.

<sup>5</sup>You can find the examples of huge prison sentences received by representatives of civil society organizations, including trade unions, in Lawtrend's monthly newsletters, such as [the December 2023 LawtrendMonitor](#).

On 28 November, another wave of searches swept across Belarus (the Coordination Council case). [According to the Investigative Committee](#), “**over a hundred people** have been brought in as suspects in the Coordination Council case. These persons were recognized as suspects of committing crimes under Article 357(1) (conspiracy to seize state power by unconstitutional means) and Article 361<sup>1</sup> (3) (inclusion of a person in an extremist group for the purpose of committing extremist crimes) of the Criminal Code of the Republic of Belarus». As a result of the searches conducted, there are a number of cases of arrested real estate and other property.

By the end of 2023, the Investigative Committee included **35 people**, including representatives of civil society organizations (**18 of them during the monitoring period**), in the ["List of persons being under special proceedings initiated and being summoned to the criminal prosecution body."](#)

## 7. GOVERNMENTALIZATION OF THE NON-PROFIT SECTOR, DISCREDITING OF UNDESIRABLE ORGANIZATIONS

The authorities began to pay much more attention to the creation of favourable conditions for operating government-supervised organizations, accelerating the activities of GONGOs and directing their work to the spheres vacated after the liquidation of independent organizations.

This is manifested in an increase in direct support (including financial support), the demand to expand membership coverage, the creation of structures at enterprises, general intensification of GONGOs` presence in the state media and in the system of ideological propaganda, the use of GONGOs for backing grass-roots civic initiatives, and the formal definition of GONGOs as entities **which authorized to nominate delegates to the All-Belarusian People's Assembly.**

Representatives of pro-governmental organizations, such as BWU, BRSM and Belaya Rus, are included in public councils (compositions of many public advisory councils were changed in the spring of 2023) and awarded with diplomas. The leadership of these organizations includes the authorities' representatives.

Thus, among seven members of the BWU praesidium, there are the first deputy chairperson of the Minsk City Executive Committee, the chairperson of the Council of the Republic of the National Assembly, the deputy head of the Department of the Secretariat of the Council of the Republic of the National Assembly, first deputy Minister of Justice, and spokesperson of the President of the Republic of Belarus.

Pro-governmental associations implement various projects in the field and announce regional projects **supported by the authorities** that are joined by people **not only under compulsion, but also because of the lack of alternatives.**

The same organizations participate in the electoral process. For example, according to the Central Election Commission, **1,794** people were accredited by public associations as observers on the single voting day. Of these, **551** were representatives of trade unions affiliated to the FPB, several hundred observers were accredited from Belaya Rus, BRSM, and the Belarusian Public Association of Veterans. Only **17** observers were accredited from "other public associations" (usually those are BWU, Red Cross Society, etc.).

Against the background of creating "the own civil society", **discrediting** independent civil society organizations in pro-governmental Telegram channels and mass media outlets, including the presidential administration's newspaper SB-Belarus Segodnia continues: for example, referring the leaders of the forcibly liquidated public association Radislava, the Human Rights Center Viasna's activists, environmental organizations, or urban initiatives.