



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

March 2024

The situation regarding the freedom of association and the status of Belarusian NGOs in Belarus remains poor. Instances of searches, detentions, summons for "conversations," initiation of administrative and criminal cases, and the use of legislation to counter extremism as a tool to pressure civil society organizations and activists, including the initiation of criminal cases related to donations to solidarity funds and other structures, continue to be documented. Legislation on special (in absentia) proceedings against activists who have been forced to leave the country is increasingly being utilized.

As of the end of March 2024, no less than 997 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 604 as of the end of March. Consequently, the losses in Belarus's civil sector since the post-election period of 2020 amount to no less than 1.601 institutionalized forms of NGOs, including civic associations, professional unions, political parties, foundations, non-governmental institutions, associations, and religious organizations.

On March 4, the deadline for public associations to bring their statutes in line with the new requirements of the law "On Public Associations" expired.

Belarusian Republican Youth Union and Rosmolodezh (Russian Federal Agency for Youth Affairs) signed a cooperation agreement.

Changes have been made to the legislation on foreign gratuitous and gratuitous (sponsor) assistance.

As of March 31, 2024, there are 1399 people recognized as political prisoners in Belarus, currently held in places of detention.

The Ministry of Justice statistics

Official statistics regarding registered NGOs as of January 1, 2024 were published. 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. For the second year the Ministry of Justice does not include in its statistics the number of registrations of public associations and foundations during the year.

According to Lawtrend, as of 1 January 2024, 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 dozen due to the ongoing liquidation process and the lack of official generalized information on registering NGOs of various forms¹. In total, about 13 non-state institutions, 3 foundations and 17 public associations have been registered in 2023.

Forced liquidation of non-governmental organizations², decreasing number of public associations with republican status

As of March 31, 2024, according to [the monitoring conducted by Lawtrend](#), there have been 997 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).

As in the previous monitoring period, almost all public associations against which lawsuits for liquidation have been filed have republican status.

Overall, both legislation and practice are aimed at leaving only a small number of public associations in Belarus with republican status. The Law on Public Associations, before the amendments introduced by [the Law of the Republic of Belarus of February 14, 2023, No. 251-Z "On Amending Laws on the Activities of Political Parties and Other Public Associations,"](#) stipulated that the creation and operation of a republican public association required no less than fifty founders (members) from the majority of regions of the Republic of Belarus and the city of Minsk. The current version of the law, with the amendments introduced by the aforementioned law, sets the same requirement for the number of founders (members) of republican associations but also requires them to establish organizational structures in all regions and the city of Minsk.

Thus, whereas previously the creation of organizational structures was a right of a republican public association (they could operate as a single organization without the need for structures), it is now an obligation. The requirement to create organizational structures entails

¹ More detailed information can be found in the [Analysis of NPOs registered in Belarus](#)

² 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.

significant technical difficulties and financial expenses, primarily due to the need for each organizational structure to have a legal address in non-residential premises, even if that organizational structure is not endowed with the status of a legal entity. Technical difficulties arise primarily from the necessity of finding a legal address in regions where property owners simply refuse to provide their premises for the placement of a legal address.

Financial expenses are primarily associated with the need to pay rent and utility bills for premises where the legal address is located. For example, premises owned by the state, according to [the Decree of the President dated May 16, 2023, No. 138 "On Lease and Gratuitous Use of Property"](#) and [the Resolution of the Council of Ministers dated November 17, 2023, No. 787 "On Measures to Implement the Decree of the President of the Republic of Belarus dated May 16, 2023, No. 138,"](#) can be provided free of charge only to certain organizations included in a special list. Thus, only selected public associations can afford to have organizational structures in all regions of Belarus and Minsk.

[The Law of the Republic of Belarus of February 14, 2023, No. 251-Z "On Amending Laws on the Activities of Political Parties and Other Public Associations,"](#) established the obligation for public associations to bring their charters in line with the new requirements by March 4, 2024. Due to significant changes in the requirements for organizational structures, this necessity primarily affected republican public associations. As of the end of March, according to information provided in the Unified State Register, only a few republican public associations have amended their charters while maintaining their republican status. Failure of public associations to bring their charters in line with the new requirements of the Law on Public Associations will evidently lead to registration authorities filing new lawsuits for liquidation.

Despite Belarusian legislation not endowing public associations with a significant amount of additional rights and preferences, losing republican status results in these associations losing some of them. According to [the Law of February 14, 2023, No. 250-Z "On the Foundations of Civil Society,"](#) republican public associations with regional and Minsk city organizational structures, whose adult membership comprises no fewer than 100,000 citizens, have the right to special forms of interaction with state authorities. According to Article 35 of the Electoral Code, republican public associations and their organizational structures have the right to nominate their representatives to territorial, district, and precinct commissions. According to [the Decree of the President of May 31, 2005, No. 247 "On Additional Measures to Regulate the Use of the Words 'National' and 'Belarusian',"](#) republican public associations have the right to use the words "Belarusian" in their names.

Non-governmental organizations deciding on self-liquidation

NGOs continue to be active in opting for self-liquidation. As of March 31, 2024, according to [the monitoring conducted by Lawtrend](#), there have been 601 NGOs (civil associations, foundations, institutions, and political parties) in which the authorized body or founders have decided to liquidate.

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 CSOs

The practice of "combating extremism" is increasingly expanding. [According to the chief of the Main Directorate for Combating Organized Crime and Corruption](#) of the Ministry of Internal Affairs, based on materials from this structure, over 2,000 crimes were identified in 2023, with more than half of them being "the result of efforts to prevent extremism." Organizers and participants of mass disorders, as well as participants in informal youth associations, have been identified and held accountable under criminal law.

The practice of recognising information products, including initiatives located abroad, as "extremist materials", and expanding the lists of citizens, organizations, formations and individual entrepreneurs involved in extremist activities, doesn't stop.

During the monitoring period, [materials classified as extremist included accounts](#) such as "BYSOL" on TikTok, a Telegram bot named "Фонд Беларускай Солидарнасти BYSOL" (Belarusian Solidarity Fund BYSOL), pages "bymedsol", "pen_belarus" (Belarusian PEN), "resource_byculture" (Resource Center of the Belarusian Cultural Council), "freeunion_online", "rpf_org" (Respect-Protect-Fulfill) on Instagram, informational content on the "Дысідэнт ВУ" account on TikTok, the "baj.media" page on TikTok, the website named "Respect-Protect-Fulfill", informational resources like movananova, informational content posted in communities of "Фонд медыцынскай солидарнасти Беларусі" (Medical Solidarity Fund of Belarus), website and groups on social networks under "Клуб Литвіны" (Litviny Club).

The initiatives of the "People's Embassies" ("Belarusians Abroad"/"Belarusians Overseas") [have been recognized as "extremist formations."](#) [The Investigative Committee has announced the initiation of criminal proceedings](#) against their representatives under Article 361-1 of the Criminal Code (creation of an extremist formation or participation in it). According to information from this agency, it "has complete information on more than 100 representatives of radical diasporas. More than 30 real estate properties belonging to the suspects have already been identified within the country." Searches have been conducted across Belarus in relation to diaspora activists. On 26 March the Union of Poles of Belarus was recognised as an extremist formation by the KGB.

On March 22, the Minsk City Court found journalist Ihar Karney guilty under Part 3 of Article 361-1 of the Criminal Code (involvement in an extremist formation with the aim of committing a crime of extremist orientation) and sentenced him to three years in a general regime penal colony. [According to information from the resource of the president's administration "Belarus Segodnya" \("Belarus Today"\)](#), Ihar Karney's charges relate to his collaboration with the Belarusian Association of Journalists, which has been recognized as an "extremist formation" in Belarus.

[According to a statement from the press service of the Minsk City Executive Committee's Department of Internal Affairs](#), "The Ministry of Internal Affairs regularly implements a set of measures to counter the financing of organizations, formations, and individuals involved in extremist activities abroad, as well as to prevent representatives of the 'fifth column' from receiving

funds to support 'direct action' campaigns, sabotage, and other destructive activities within the territory of the Republic of Belarus."

In 2023, 17 criminal cases were initiated against individuals involved in financing organizations, formations, and individuals engaged in extremist activities. According to the Human Rights Center "Viasna," at least 64 individuals have been convicted for donations under Article 361-2 of the Criminal Code (financing of extremist formations). The Ministry of Internal Affairs reports that since the beginning of 2024, 260 individuals have been identified as donors to various initiatives recognized as "extremist formations" in Belarus. The total amount of donations exceeded \$5,000. As compensation, Belarusians "voluntarily" transferred more than \$356,000 to the accounts of various government agencies³.

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

The practice of detaining public activists continues. Thus, it is reported about the detention of human rights defender from Baranavichy Aliaksandr Vaitesysk.

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

³ Special services, by summoning citizens for "conversations" regarding their donations, are compelling them to transfer large sums of money to special accounts under the threat of initiating criminal cases.

(included in the list of individuals involved in terrorist activities, sentenced to 11 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 Kastsyuhova (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 Berasniew, 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").

The Homiel Regional Court sentenced the chairwoman of the public association "VeloHomiel," Sviatlana Karol, to one year and six months of imprisonment in a general regime colony under Part 2 of Article 367 of the Criminal Code (slander against the president) and Part 1 of Article 130 (incitement of social discord).

There is active work being conducted to hold individuals criminally liable within the framework of special (in absentia) proceedings. As of the end of March, the Investigative Committee has included 86 individuals in the ["List of persons subject to special proceedings and summoned to the prosecution authorities."](#) For comparison, during the period of 2022-2023, 35 individuals were included in the list, including representatives of civil society organizations, 18 of whom were added during the monitoring period.

During this monitoring period, human rights defenders Leanid Sudalenka, Uladimir Khilmanovich, and Ihar Kazmierchak were added to this list under Part 1 of Article 361-4 (other assistance to extremist activities) and Part 2 of Article 361-4 (repeatedly providing other assistance to extremist activities). Additionally, Kazmierchak was charged under Part 1 of Article 368 (public insult of the president).

The Investigative Committee has also initiated special proceedings against the former director of the Hrodna Children's Hospice, Volha Vialichka, under eight articles of the Criminal Code, including Article 193-1 (organization and participation in the activities of a public association, against which a final decision of the authorized state body on liquidation has come into legal force).

The Investigative Committee has completed the special proceedings against 20 participants of the extremist formation "Analysts of Sviatlana Tikhanouskaya." The criminal case has been transferred to the Prosecutor General's Office for further proceedings in court.

Access to financing, including changes in legislation.

On March 18, 2024, [the Department of Humanitarian Affairs of Belarus published its results in regulating foreign gratuitous assistance](#) for the year 2023. According to the report, the total volume of foreign assistance processed through the Department's mechanisms amounted to \$75 million in 2023. This represents a 15% decrease compared to 2022 when the volume of such assistance was over \$87 million. In 2021, Belarus received over \$102 million in assistance, and in 2020, over \$91 million.

By [the Resolution of the Council of Ministers of the Republic of Belarus dated March 5, 2024, No. 144/1 "On Amending the Resolution of the Council of Ministers of the Republic of Belarus and the Presidential Affairs Directorate of the Republic of Belarus dated August 27, 2020, No. 502/4"](#) (entered into force on March 8), amendments were made to the Regulation on the procedure for receiving foreign gratuitous assistance in the Republic of Belarus, its registration, collection of fees for its registration, accounting for such assistance, and its use.

The changes primarily aim to regulate the issues of recipients providing foreign gratuitous assistance to the Department of Humanitarian Affairs and the return of documents to recipients by the Department in electronic form, including using the [AIS "Humanitarian Activities."](#)

On March 27, Decree No. 112 was signed, which adjusts the procedure for providing and using gratuitous (sponsor) assistance, by Decree No. 300 of July 1, 2005. The new edition of the decree enters into force six months after official publication.

The decree provides the possibility of providing gratuitous assistance in the form of electronic money and digital tokens. It is established that gratuitous (sponsor) assistance cannot be provided in foreign currency, except in cases when it is directed to healthcare organizations for the purchase of medical devices and pharmaceuticals abroad, citizens for receiving medical treatment outside the country, diplomatic missions and consular offices of the Republic of Belarus, cultural organizations, as well as individuals (teams, groups, delegations) representing Belarus in international events, the decision on the participation of the Republic of Belarus in which is made by the president, state bodies.

The goals of providing (using) assistance are supplemented by such positions as supporting organizations involved in patriotic education of children and youth, individuals in difficult life situations, non-profit organizations in the field of environmental protection, animal protection, volunteer firefighting movement, as well as supporting public associations, associations (unions)

aimed at achieving their statutory goals. Assistance can be used to reimburse expenses related to the maintenance of production buildings, structures, improvement of settlements, accumulated by NGOs to provide support to other legal entities and individuals, including individual entrepreneurs, within the framework of goals set by the decree. Public associations of certain areas of activity may use the assistance to pay the salaries of employees and administrative expenses, including rent, utilities, and operating expenses.

Additional restrictions have been introduced on the provision of such assistance. Organizations with a share of state ownership of 50 percent or more cannot provide it if they have overdue debts for payments to the budget, payment of wages and benefits, net loss, as well as if they fail to meet the conditions for receiving government support.