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**Human rights situations that require the Council's attention****Report of the Group of Independent Experts on the Situation of Human Rights in Belarus<sup>\*</sup>, <sup>\*\*</sup>***Summary*

In the present report, submitted pursuant to Human Rights Council resolution 55/27, the Group of Independent Experts on the Situation of Human Rights in Belarus presents its findings. It first examines the root causes of the human rights violations committed since May 2020, highlighting that the violent response to the mass protests surrounding the 2020 presidential election was the latest manifestation of a long-standing pattern of repressive governance. It then demonstrates that those violations persisted and affected an ever-increasing number of people in 2023 and 2024, while the authorities continued to restrict civic and democratic space in anticipation of the 2025 presidential election.

The Group found that the Government of Belarus had continued to rely on arbitrary arrests and detentions – frequently accompanied by torture or ill-treatment – as its primary method of silencing dissent. It also documented that the thousands of Belarusians arrested and tried on politically motivated grounds had been systematically subjected to a separate and harsher regime of detention designed to punish and humiliate them. Those practices, along with heightened surveillance and well-founded fears of rearrest, continued to force many into exile, where an increasing number faced criminal proceedings in absentia.

Drawing on its findings and building upon the work of the Office of the United Nations High Commissioner for Human Rights, the Group found further evidence of crimes against humanity, specifically imprisonment and persecution, having been perpetrated against a significant segment of the population defined by its real or perceived political views. The Group concludes with recommendations urging the Government of Belarus to engage meaningfully with it and the United Nations, immediately release all those detained on politically motivated grounds and implement comprehensive reforms to address the structural root causes of the human rights violations documented since May 2020.

\* Agreement was reached to publish the present document after the standard publication date owing to circumstances beyond the submitter's control.

\*\* Annexes to the present document are reproduced as received, in the language of submission only.

## **I. Introduction**

1. In its resolution 55/27 of 4 April 2024, the Human Rights Council established a group of three independent experts on the situation of human rights in Belarus to investigate and establish the facts, circumstances and root causes of all alleged human rights violations and abuses committed in Belarus since 1 May 2020 with a view to ending impunity and ensuring accountability.

2. On 21 June 2024, the President of the Human Rights Council appointed Karinna Moskalenko (Russian Federation), Susan Bazilli (Canada) and Monika Stanisława Płatek (Poland) to serve as members of the Group of Independent Experts on the Situation of Human Rights in Belarus. All three had served as experts in the examination, by the United Nations High Commissioner for Human Rights, of the situation of human rights in Belarus mandated by resolution 46/20 of 24 March 2021, which was renewed annually until April 2024. To avoid overdocumentation, the information and evidence gathered during that examination was made accessible to and usable by the Group as permitted by the sources' informed consent.

3. The Human Rights Council requested the Group to submit a written report at its fifty-eighth session. The report covers the period from 1 May 2020 to 31 December 2024, with a focus on developments in 2023 and 2024. It builds upon and follows up on the findings of the High Commissioner, the Special Rapporteur on the situation of human rights in Belarus and other human rights mechanisms.

## **II. Methods of work**

### **A. Non-cooperation of the Government of Belarus**

4. The Group regrets that the Government of Belarus has not engaged and cooperated with it as requested in Council resolution 55/27. On 7 August and 5 September 2024, the Group requested access to the country and information necessary to carry out its mandate (annex II). Moreover, on 29 November 2024, the Group requested detailed information on the steps taken to prevent and investigate deaths in detention since May 2020 (annex II). As at 31 December 2024, the Group had not received any response in relation to those requests. On 23 January 2025, the Group shared a draft of the present report with the Government.

### **B. Consultations**

5. The Group held consultations on accountability with various stakeholders, including representatives of the Office of the Prosecutor of the International Criminal Court responsible for the preliminary examination on Belarus, relevant national authorities, civil society organizations, the Organization for Security and Cooperation in Europe (OSCE) and members of the diplomatic community. The Group also held meetings with the Special Rapporteur on the situation of human rights in Belarus and other special procedure mandate holders.

6. In parallel, the Group worked on establishing which State structures had enabled the human rights violations documented since May 2020. Building on the work of the High Commissioner, the Group prepared a consolidated list of all State units and entities involved in the commission of the violations. As part of that work, it has compiled, analysed and preserved relevant public statements from high-level Belarusian officials and mapped out all detention facilities in which torture and cruel, inhuman or degrading treatment have been documented. In addition, the Group has prepared a consolidated list of all individuals allegedly responsible for human rights violations since May 2020. The Group has also begun to prepare individual profiles of persons of interest, namely those who bear the greatest responsibility for human rights violations.

## C. Methodology

7. Due to the liquidity situation in relation to the regular budget, the secretariat of the Group has operated with only two thirds of the staff allocated to it since its establishment. Despite that challenge and the lack of access to the country, in 2024 the Group carried out five visits to selected countries to interview Belarusians in exile and meet with relevant stakeholders.

8. The report is based on 192 interviews (68 women, 122 men and 2 non-binary individuals) conducted in person and remotely with victims and witnesses of human rights violations, representatives of non-governmental organizations, journalists, lawyers, academics, former members of the security forces and other Belarusians in exile. It also draws upon 2,277 pieces of information and evidence, including videos, photographs, digital materials, official public statements, medical records and court documents, as well as 37 written submissions from individuals and non-governmental organizations. In assessing trends, the Group also consulted materials shared by the International Accountability Platform for Belarus.

9. Consistent with the practice of similar investigative bodies, the Group used the “reasonable grounds to believe” standard of proof to assess the information gathered. That standard is met when, based on a body of verified information, an ordinary prudent observer has reasonable grounds to believe that the incidents took place as described, and where legal conclusions are drawn, that these incidents meet all the elements of a human rights violation. The Group made legal determinations based on international human rights law and customary international criminal law as applicable in Belarus.

10. At all stages of its investigation, the Group strictly adhered to the “do no harm” principle and took all appropriate measures to ensure the confidentiality of its sources and preserve the information provided. The information contained in the present report was used with the informed consent of the sources. The Group wishes to express its gratitude to all those who provided testimonies, shared information and facilitated its work.

## III. Historical and political context

11. Consistent with its mandate, the Group conducted several interviews with Belarusians in exile to identify the root causes of the human rights violations committed since May 2020. From the outset, many pointed out that the violent response of the Belarusian authorities to the unprecedented mass protests that had preceded and followed the 2020 presidential election was not an isolated incident, but the latest manifestation of a long-standing pattern of governance. The Group considers that several interconnected structural factors, including the absence of genuinely democratic institutions, the lack of an independent judiciary, the institutionalized perception of civil society as a threat and a pervasive culture of impunity, have set the stage for the human rights violations observed since May 2020. Until those structural factors are addressed, the repression and violence are likely to continue, forcing more Belarusians into exile.

### A. Dismantling of democratic institutions

12. Belarus broke away from the Soviet Union in 1991. Despite widespread public unease about political change, the country made some progress towards democratic governance through the adoption of a Constitution incorporating provisions on the separation of powers, political parties and independent media. Those positive developments were soon erased.

13. In 1994, the newly elected President, Alexander Lukashenko, immediately shifted the country’s political trajectory by altering its democratic structures. Two referendums held in 1995 and 1996 gave the President the ability to prematurely terminate the powers of parliament, issue binding decrees without the approval of the legislature and appoint key judicial officials, thereby significantly weakening the role of parliament and the judiciary. In 2004, another constitutional referendum abolished the presidential term limits, allowing the incumbent President to run for office indefinitely.

14. While presented as necessary to restore stability, the constitutional changes eliminated the checks and balances and facilitated the systematic violations of civil and political rights that followed. In the capital, the backslide into autocratic rule gave rise in 1996 and 1997 to the “Minsk Spring”, a series of mass protests that were repressed and immediately followed by severe restrictions on freedom of assembly.

## **B. Systemic repression of fundamental freedoms**

15. The dismantling of the democratic structures of Belarus was accompanied by an ever-growing body of legislative and policy measures restricting fundamental freedoms. From the late 1990s onwards, the authorities exerted tight control of the media landscape, making State-owned media outlets the primary channel for information. Many independent newspapers, radio stations and television channels were either forced to close or had their licences cancelled, while journalists faced harassment and intimidation.<sup>1</sup>

16. Civil society organizations, which had burgeoned in the years following independence, also faced mounting obstacles, including burdensome registration requirements. Authorities routinely dismantled organizations deemed undesirable by arbitrarily refusing to register them or revoking their registration status. Many human rights defenders were also silenced through legal or extrajudicial means. Over the years, the harassment of civil society would escalate around key political events, such as elections, leading to cyclical episodes of repression and severe deterioration of the human rights situation.<sup>2</sup>

17. The disregard for fundamental freedoms, deeply entrenched in the legal and institutional frameworks, drastically limited the ability of opposition candidates to campaign freely. The OSCE Office for Democratic Institutions and Human Rights found that all the elections that it had been invited to observe in Belarus since 1994 had not met democratic standards. Between 2004 and 2016, the opposition had no seat in parliament. In 2016, two independent candidates secured seats, but their success was an anomaly rather than a shift towards a more pluralistic political environment. Since the elections in 2019, the opposition has had no representation in parliament.

## **C. History of State-sanctioned violence**

18. Episodes of mass protests, primarily fuelled by allegations of electoral fraud, in the years preceding the 2020 presidential election, showed the authorities’ intolerance of dissent and set a pattern of violent repression that would recur in the years to come.

19. In 2006, large-scale demonstrations erupted in the capital after the incumbent President claimed a third victory in the presidential election. While initially peaceful, the protests were quickly suppressed by force, with hundreds of demonstrators and opposition leaders arrested. In 2010, tens of thousands of Belarusians took to the streets again to contest the legitimacy of the presidential election results. The authorities responded with a heavy-handed crackdown that resulted in the police detaining more than 700 individuals. The events led the Human Rights Council to mandate the High Commissioner to monitor and report on the human rights situation.<sup>3</sup> Moreover, in 2012, the Council created the mandate of the Special Rapporteur on the situation of human rights in Belarus.<sup>4</sup>

20. In 2012, the High Commissioner described the reaction of the authorities to the mostly peaceful demonstrations as “clearly” aimed at curtailing the freedoms of association, assembly and expression, and noted that the systemic nature of the human rights violations required a comprehensive review of legislation, policies, strategies and practice.<sup>5</sup> The Committee against Torture also raised concerns about the Government’s failure to conduct

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<sup>1</sup> See, for example, [CCPR/C/79/Add.86](#), para. 17.

<sup>2</sup> [A/HRC/20/8](#); and [A/HRC/35/40](#) and [A/HRC/35/40/Corr.1](#), paras. 53–57.

<sup>3</sup> Human Rights Council resolution 17/24.

<sup>4</sup> Human Rights Council resolution 20/13.

<sup>5</sup> [A/HRC/20/8](#), paras. 73 and 74.

meaningful investigations into the widespread allegations of torture and ill-treatment of those detained during and after the protests.<sup>6</sup> Despite international pressure, no significant reforms or investigations took place.

21. In 2015, the Special Rapporteur on the situation of human rights in Belarus noted an emerging pattern in the misuse of “preventive” and administrative arrests to discourage civic activism. That practice, which human rights organizations had started to observe in the mid-2000s, generally preceded important political or social events.<sup>7</sup> It resurfaced in March 2017 when waves of protests swept the country to denounce the “parasite tax” imposed by the Government on unemployed citizens. The peaceful protests, the most important since 2010, were again met with force, with the police arresting and detaining hundreds of people on fabricated administrative charges in half a dozen cities.<sup>8</sup>

22. By 2020, the system of governance put in place by the authorities had conditioned State institutions, including law enforcement, to view protests as a threat to the State rather than the expression of democratic rights. Security forces had quelled peaceful protests with brutal tactics without facing any legal consequences. The authorities’ emphasis on stability and loyalty, rather than justice and human rights, and the lack of accountability for the violations committed by security forces, contributed to the normalization of violence to suppress dissent.

#### D. Protests in 2020 and their aftermath

23. The waves of anti-government protests that swept the country in 2020 were unprecedented in their scale. Although they began in May just after the incumbent President had declared his intention to seek a sixth mandate, they significantly intensified after the announcement of the official results of the presidential election on 9 August and continued for months thereafter. They spread throughout the entire country, fuelled by ongoing allegations of electoral fraud, growing dissatisfaction with the economic situation and rising distrust in the authorities, further worsened by their mishandling of the coronavirus disease (COVID-19) pandemic.<sup>9</sup> People across all walks of life joined the protests, with women, many of whom had never been politically active before, at the forefront.

24. The authorities’ violent response to the protests, which followed patterns already observed in the preceding decade, led to a rapid deterioration of the human rights situation and prompted even more people to join the protesters. In response to credible allegations of massive arbitrary arrest and detention, torture and ill-treatment, the Human Rights Council mandated the High Commissioner to carry out a comprehensive examination of all alleged human rights violations committed in Belarus after 1 May 2020.<sup>10</sup>

25. The High Commissioner found that the forceful dispersal of the peaceful protests was not justified by a valid objective and appeared motivated by a desire to suppress dissent. At least 13,500 persons were arrested in more than 100 cities, towns and villages in the six days following the announcement of the results. By May 2021, the total number of people arrested and detained in relation to the protests had reached over 37,000. The High Commissioner found widespread violations of the prohibition of arbitrary arrest or detention and pointed to a widespread and systematic practice of torture and ill-treatment against individuals for their real or perceived opposition to the Government.<sup>11</sup>

26. Following the protests in 2020, Belarusian authorities – far from hearing the call for reforms – doubled their efforts to prevent and eradicate all possible expressions of dissent. They made it virtually impossible to hold a protest in Belarus and openly undertook to “purge” the country from civil society organizations. By December 2021, liquidation

<sup>6</sup> CAT/C/BLR/CO/4, para. 11.

<sup>7</sup> A/HRC/29/43, paras. 53–62.

<sup>8</sup> A/HRC/35/40 and A/HRC/35/40/Corr.1, paras. 53–57.

<sup>9</sup> According to interviewees, the authorities’ failure to impose lockdowns and their dismissal of the virus contributed to a larger portion of the population joining the protests.

<sup>10</sup> Human Rights Council resolution 46/20.

<sup>11</sup> A/HRC/49/71, paras. 41 and 53.

proceedings had been initiated against hundreds of organizations, including the country's leading human rights groups.<sup>12</sup> The purge accelerated in the following months and years, with the number of liquidated civil society organizations reaching 1,187 as at 31 December 2024.<sup>13</sup>

27. On 27 February 2022, days after the full-scale invasion of Ukraine by the Russian Federation, a constitutional referendum held in conditions widely perceived as lacking fairness and transparency further consolidated the powers of the President.<sup>14</sup> The amendments also granted immunity to former presidents for actions carried out while in office (art. 89) and disqualified individuals who have held, or hold, dual citizenship or residency permits in foreign countries from running for office (art. 80). As article 64 (2) already deprived those serving a prison sentence of the right to vote and be elected, the new Constitution made it impossible for political opponents imprisoned or in exile to run for office. On the day of the referendum, massive anti-war protests broke out across Belarus. Approximately, 1,500 people were arrested and detained.<sup>15</sup>

28. Concomitantly to those developments, Belarusian authorities continued to arrest, under politically motivated charges, individuals who had participated in the protests of 2020 or criticized the Government. Security forces increased surveillance, relying on new technologies, such as facial recognition. In 2021, the authorities expanded the legal grounds for prosecution by amending the "anti-extremism" and "anti-terrorism" laws. Over the past three years, the laws have been grossly misused to punish, with harsh sentences, the legitimate exercise of the rights to freedom of expression, assembly and association. More recently, the type of activities considered "extremist" has expanded to include any form of interaction with civil society organizations classified as "extremist".<sup>16</sup> After the full-scale invasion of Ukraine, the Belarusian authorities have also used "anti-extremist" legislation to arrest and prosecute people for their anti-war activism and speech.<sup>17</sup>

29. In addition to amending the legal framework, Belarusian authorities strengthened their control over the already non-independent judicial system, taking concerted actions to shield its functioning from criticism. Lawyers defending individuals arrested on politically motivated grounds were harassed, arrested, prosecuted and arbitrarily detained for merely exercising their functions or exposing the complicity of judges in the repression of dissent. Many had their licenses arbitrarily revoked while their professional bar association was put under the control of the Ministry of Justice. As a result, decisions about the practice of lawyers are not made by an independent entity but rather by the Ministry of Justice. At the end of 2023, the pool of lawyers willing to defend people charged on politically motivated grounds had been decimated,<sup>18</sup> leaving those tried and imprisoned without means to challenge their arbitrary detention and expose violations of their rights.

30. The actions of the authorities since the protests in 2020 testify to their unwillingness to reform the legal and institutional system negating fundamental freedoms. Governance continues to be based on suppressing and punishing expressions of dissent through restrictions, surveillance, intimidation, arbitrary arrest and detention, torture and ill-treatment, and forced exile. In February 2023, the Government withdrew from the Optional Protocol to the International Covenant on Civil and Political Rights. Its level of

<sup>12</sup> Ibid., para. 71.

<sup>13</sup> See the list prepared by LawTrend at <https://www.lawtrend.org/liquidation-nko> (in Russian).

<sup>14</sup> European Commission for Democracy through Law, "Belarus: final opinion on the constitutional reform", Opinion No. 1054/2021, 24 October 2022, available at [https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD\(2022\)035-e](https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD(2022)035-e).

<sup>15</sup> A/HRC/52/68 and A/HRC/52/68/Corr.1, para. 25.

<sup>16</sup> An analysis of the laws can be found in A/78/327; A/HRC/52/68 and A/HRC/52/68/Corr.1, para. 35; communication BLR 3/2023, available at <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=28007>; and communication BLR 4/2023, available at <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=28090>. See also <https://www.osce.org/files/f/documents/d/5/543240.pdf>.

<sup>17</sup> A/HRC/52/68 and A/HRC/52/68/Corr.1, para. 33.

<sup>18</sup> A/HRC/55/61, para. 21.

engagement and cooperation with international human rights bodies also hit a record low, alongside the unparalleled deterioration of the country's human rights situation.<sup>19</sup>

31. As Belarusians prepare for another presidential election in January 2025, the prospects of democratic reforms seem more elusive than ever. In the fall of 2024, the incumbent President warned that protests would not be tolerated and that Internet shutdowns would be enforced if necessary.<sup>20</sup>

## IV. Patterns of violations

### A. Arbitrary arrest and detention and the right to a fair trial

32. Since the events of 2020, arbitrary arrest and detention have become a permanent fixture of the repressive tactics of Belarusian authorities. In contrast to previous election cycles, during which mass arrests would occur for some time after the elections and then subside, the wave of arrests and detentions that began shortly before the presidential election in 2020 has persisted to the present day. In 2024, courts tried more than 7,500 people – a quarter of them women – on politically motivated charges nationwide, an increase of 100 a month compared with 2023.<sup>21</sup> With civil society virtually eradicated and the State's repressive machinery becoming increasingly opaque, those numbers represent just a fraction of those punished for their real or perceived opposition to the Government.

33. Alongside the continued arrests, a pattern of repeated legal proceedings and imprisonment has emerged. Through interviews with Belarusians who fled in 2024, the Group has documented that many people have been tried in courts multiple times for the legitimate exercise of their rights to freedom of expression, association and assembly since the protests in 2020. Some have been sentenced three or even four times, typically for repeated administrative offences<sup>22</sup> followed by criminal offences, and have endured several prison terms in cruel, degrading and inhuman conditions. Before leaving the country, they reported living in constant fear of rearrest, a fear heightened by a system of expanding surveillance and digital monitoring, as well as the increasing use of the law to counter "extremism" and "terrorism."

34. Following a trend that started in 2023, the Group observed a significant increase in the number of administrative charges brought for the "dissemination of extremist materials" in 2024.<sup>23</sup> Thousands of Belarusians were fined or sentenced by courts to up to fifteen days of detention for simply storing, sharing, reposting, subscribing to or liking online materials declared "extremist" by the authorities. As at 25 November 2024, the list of "extremist" materials contained 6,565 entries, 2,000 more than in 2023, and included the websites, social media accounts and messaging channels of virtually all independent news outlets and civil society organizations.<sup>24</sup> That extensive list resulted in charges for acts such as reposting a humorous video promoting the Belarusian language, having the logo of an independent media

<sup>19</sup> A/79/201.

<sup>20</sup> See <https://president.gov.by/ru/events/vstreca-so-studentami-vuzov-v-formate-otkrytyj-mikrofon-s-prezidentom-v-mglu> (in Russian); and <https://president.gov.by/ru/events/interv-u-izdaniu-izvestia> (in Russian).

<sup>21</sup> That number includes 1,721 people convicted of criminal offences and 5,800 others fined or sentenced to short-term administrative detention. See Viasna, "Human rights situation in Belarus, December 2024", 9 January 2025, available at <https://spring96.org/en/news/117107>; and "More than 5,800 convicts: results of administrative prosecution in 2024", 9 January 2025, available at <https://spring96.org/en/news/117109>.

<sup>22</sup> Administrative offences can carry prison sentences for up to 15 or 30 days. See article 6.6 of the Code of Administrative Offences, available at <https://etalonline.by/document/?regnum=hk2100091> (in Russian). Access from outside Belarus to this website and several others referenced in the present report require the use of a virtual private network (VPN).

<sup>23</sup> Article 19.11 of the Code of Administrative Offences.

<sup>24</sup> See <https://ctv.by/news/obshestvo/kak-materialy-popadayut-v-spisok-ekstremistskih-otvetil-andrej-kuncevich> (in Russian).



outlet on one's social media page, and even sharing a post about broken traffic lights. In many cases, the reposts or shares predated the designation of a website or channel as "extremist".

35. Authorities also actively continued to track down those who had participated in the protests in 2020 and 2022. Most were prosecuted under article 342 of the Criminal Code (organization and preparation of actions that grossly violate public order, or active participation in them), confirming an already established trend of pressing criminal charges for acts previously treated as administrative violations. In some cases, courts sentenced people twice for the same act or multiple times for separate offences based on evidence found during a single search.<sup>25</sup> For example, a woman was sentenced to administrative detention twice based on two different pictures of her holding the former flag of Belarus. She was rearrested and charged immediately after completing her first sentence, with threats of being sent to prison for each of the 10 pictures found on her phone.

36. The Group noted an expansion of the legal grounds of arrest and categories of people targeted by the authorities in 2024. In January 2024, hundreds of relatives of people detained on politically motivated grounds were either arrested, fined or sentenced to short prison terms under article 24.15 of the Code of Administrative Offences (use of foreign donations to carry out extremist activities) for having received groceries paid for by a foreign non-profit organization supporting political prisoners and their families. Most of those affected by the crackdown were women. The authorities also increasingly targeted people assisting political prisoners with financial transfers and parcels and those who had donated to opposition-linked organizations under articles 361-4 (assistance to extremist activity) and 361-2 (financing extremist groups) of the Criminal Code. In many cases, courts applied the legislation retroactively, that is before the organization was declared "extremist".

37. Since 2020, security forces have continued to conduct arrests with heavy-handed tactics, often resorting to violence, threats and intimidation even when facing no resistance. In most cases documented by the Group, people were apprehended at home, at work or in the street by officers of the Main Directorate for Combating Organized Crime and Corruption (GUBOPiK) or the Committee for State Security, sometimes accompanied by special forces.<sup>26</sup> The arrests were carried out with little or no regard for the legal procedure by men, often in plainclothes and unmarked vehicles, who routinely failed or refused to identify themselves or present a warrant. Interviewees systematically reported being denied access to legal counsel and, very often, not being allowed to call family members.

38. During subsequent home searches, officers systematically demanded access to personal electronic devices, sometimes forcing individuals to unlock their phones or computers to look for "extremist" materials and evidence of participation in past protests. Along with electronic equipment, they confiscated "white-red-white" flags and other items denoting support for the opposition, Ukraine or the LGBTIQ+ movement. Refusing to provide passwords or login credentials resulted, almost systematically, in the use of violence or threats of violence (see section on torture below). Many interviewees reported that even before their first arrest, they had erased from their devices photos or conversations that could put them and their relatives or friends at risk. Security forces were nonetheless able to extract them with sophisticated devices.

39. During interrogation, security forces continued to coerce individuals into admitting guilt and recording so-called repentance videos widely used as a shaming and dissuasion tool on government-linked social media and messaging channels.<sup>27</sup> Whenever searches did not yield incriminating evidence, police routinely fabricated charges of disobedience to a public official or petty hooliganism (articles 24.3 and 19.1 of the Code of Administrative Offences) to keep them in detention. In both administrative and criminal proceedings, pretrial detention

<sup>25</sup> Article 14 (7) of the International Covenant on Civil and Political Rights safeguards the right to be protected from multiple prosecutions for the same act.

<sup>26</sup> In most cases, interviewees were later able to identify the men in plainclothes by the location to which they were taken (offices of the Committee for State Security or the Main Directorate for Combating Organized Crime and Corruption, or police stations).

<sup>27</sup> In addition to admitting guilt with their faces unblurred, victims were also frequently forced to disclose personal information, including their sexual orientation, violating their right to privacy (International Covenant on Civil and Political Rights, art. 17).



remained widely used as a form of punishment or intimidation rather than a legitimate measure justified by the circumstances.<sup>28</sup> The Group also documented several cases of short-term enforced disappearances lasting up to 10 days when security forces delayed access to a lawyer and denied relatives information about the whereabouts of the detainee.<sup>29</sup>

40. All interviewees described expedited trials with predetermined outcomes that flouted due process and fair trial guarantees. Judges remained impassive before detainees showing visible signs of torture and found the defendants liable or guilty in virtually all cases. Appeal courts systematically upheld judgments. Legal counsel made no difference, with interviewees consistently being advised to admit guilt. The Group found ample evidence of the complicity of courts at all levels in the repression of dissent and concludes that there are no available domestic remedies to challenge arbitrary detention and all other violations against persons deprived of liberty.

41. While nominally maintaining the publicity of trials, Belarusian authorities also took concerted actions to shield court proceedings from scrutiny. In March 2024, a man monitoring trials was arrested and charged with “assisting extremist activity” under article 361-4 of the Criminal Code. Many individuals interviewed by the Group were also apprehended and their phones searched after attending a court hearing or while in the vicinity of courthouses.

## **B. Torture and cruel, inhuman or degrading treatment**

42. The Group gathered ample evidence that those arrested on politically motivated grounds between 2020 and 2024 were subjected to torture and ill-treatment at all stages of their detention. Out of the 161 interviewed persons who had been arrested at least once, 52 (42 men and 10 women) had been victims of torture at the time of arrest, or during transportation, interrogation or detention. The Group also found that Belarusian authorities, with the apparent objective of punishing and silencing any forms of dissent, continued to apply a separate and harsher regime of detention on those arrested on politically motivated charges. Men and women who served short sentences in temporary detention facilities across the country were systematically subjected to discriminatory, degrading and punitive conditions of detention amounting to cruel, inhuman or degrading treatment and, in some instances, torture. The Group also documented several cases of torture and ill-treatment in penal colonies across the country.

### **1. Treatment during arrest and interrogation**

43. The Group gathered and consolidated evidence of the routine use of torture during arrest, transportation and interrogation by officers of the Main Directorate for Combating Organized Crime and Corruption. Detailed accounts of persons arrested in 2023 and 2024 revealed distinctive patterns of violence. Officers subjected their victims to “torture sessions” lasting up to four hours in homes, vehicles, the Directorate’s offices or police stations. In Minsk, those torture sessions typically took place in a room on the first floor of the Directorate’s central office. They were generally conducted by three to eight officers, sometimes in the presence of their superiors, and consisted of rounds of punches and kicks, beatings with a baton or plastic bottle, and electric shocks from a stun gun on all parts of the body, including the spine, neck and head, while the person lay face down on the floor, handcuffed. In two instances, the officers poured water over the body of a victim before applying the stun gun, thus intensifying the pain. Sessions of torture sometimes included various forms of sexual violence, including beatings on the genitals, attempted rape with a baton, and threats of rape directed at them or their partners. The victims, mostly men, reported severe hematomas and burns that had taken several weeks to heal, some still being visible at the time of the interview. In none of the cases had police, judges or the medical personnel of detention facilities recorded the injuries.

<sup>28</sup> International Covenant on Civil and Political Rights, art. 9 (3). Pretrial detention should only be used when absolutely necessary and be proportional to the offence.

<sup>29</sup> See [CED/C/11](#).

44. The Committee for State Security and regular police also used torture to a lesser extent, but with the same brutality. In some cases, groups of officers of the Committee for State Security brought the victims to a nearby forest where they heavily beat them, threatened to rape them and applied different torture methods (strangulation, pepper spraying, electric shocks etc.), causing severe injuries. Other interviewees had been threatened with being taken to the forest, which they interpreted as a threat to be killed.

45. In all cases, torture was used to coerce people into providing their mobile phone passwords and login credentials, obtaining confessions or information or punishing them for their participation in the protests or perceived acts of “disloyalty” towards the Government. Many victims reported that the officers who had participated in their violent arrest and interrogation called them “*zmagar*”<sup>30</sup> and “scum” and chastised them about their attitude towards the President or their position on the war in Ukraine. As a police officer said to a detainee, “You should have loved the President.”

46. Women also faced physical violence during arrest and interrogation. In one instance, officers of the Main Directorate for Combating Organized Crime and Corruption stapled two stickers of the former flag of Belarus to the shoulders of a woman, forced her to stand for one hour facing a wall, and took turns at slapping and beating her on the buttocks to force her to confess to financing “extremist activities”. In most cases, women were subjected to intense, heavily gendered psychological violence, which took the form of threats of rape, sexually abusive comments, degrading remarks about their parenting skills and threats to place their children into foster care. Some women also reported being interrogated in a room adjacent to the one in which her partner was being beaten and verbally abused.

47. Security forces displayed marked brutality towards LGBTIQ+ individuals, using physical violence alongside dehumanizing language, hateful remarks and invasive violations of their privacy. In one case, officers of the Main Directorate for Combating Organized Crime and Corruption severely beat a transgender woman, including in the genitals, attempted to rape her with a stun gun after administering electric shocks, and forced her to record a “repentance video” in which she confessed to hosting a Ukrainian national and posting “extremist materials”. The video, which showed pictures of her, half naked with her genitals exposed, ended with a call to ban gender transitions.

## 2. Treatment and conditions in temporary detention centres

48. Individuals held for politically motivated reasons in temporary detention centres<sup>31</sup> were placed under a separate and harsher detention regime, designed to break them psychologically, force them to cooperate and inflict additional suffering. Unlike other detainees, they were subjected for the entire period of their detention (usually 15 days) to sleep deprivation tactics, including confinement in severely overcrowded cells without mattresses and bedding, forced standing, repeated awakenings at night, and exposure to constant artificial lighting and extreme temperatures, which left detainees either shivering from the cold or struggling to breathe from the heat.

49. Detainees were systematically kept in unsanitary and poorly ventilated cells, infested with bugs or lice, and deliberately deprived of walks, showers and access to basic hygiene items, such as toilet paper, toothbrushes and menstrual pads. Guards routinely dismissed their requests for medical assistance, ignored those who fainted or showed visible marks of torture and rarely allowed detainees to receive the hygiene items and clothes sent by their relatives. Some detainees with medical conditions, including psychosocial disabilities, were denied access to their medicines or medical aids.

<sup>30</sup> A derogatory term designating all those opposed to the Government.

<sup>31</sup> Temporary detention facilities, namely “temporary detention isolators” (IVS) and “centres for the isolation of offenders” (TSIP), are where people accused or sentenced under the Code of Administrative Offences are held. They are also used to detain persons suspected of crimes before their transfer to a “pretrial detention facility” (SIZO). Temporary detention facilities (IVS and TSIP) are under the responsibility of various police departments (the Main Internal Affairs Directorate, Regional Police Departments (UVD), District Police Departments (RUV D) and District Police Units (ROVD)) and overseen by the Directorate for Corrections.

50. Detainees sent to the Okrestina temporary detention centre in Minsk following the initiation of criminal proceedings against them were automatically placed in a punishment cell (“*kartsers*”) for a period of 10 days before their transfer to a pretrial detention centre (SIZO). Former detainees described the punishment cells as tiny concrete cells designed for one person, usually located in the basement, equipped with a foldable metal bed affixed to the wall and a hole in the floor as toilet. On average, 13 detainees were held in one such cell, forced to take turns to sleep on concrete floors in temperatures rarely above those outside, even in winter, and deliberately deprived of sleep through the methods described above.

51. The Group also documented instances of beatings and forced nudity of men and women in temporary detention facilities prior to 2024. At least two cases amounted to torture. The Group is also investigating credible reports that a man died in October 2024 due to torture and ill-treatment during his detention in a temporary facility in Vitebsk in March 2024.

### 3. Treatment and conditions in penal colonies

52. Persons detained on politically motivated grounds in penal colonies<sup>32</sup> across the country described a discriminatory regime of detention designed not only to punish them, but also to crush any form of political resistance. Upon arrival in a colony, political detainees were systematically forced to wear yellow tags marking them as “prone to extremist and other destructive activities”. They were subjected to additional roll calls and searches of their belongings and their movements within the colony were closely monitored. Unlike other inmates, they were denied access to the gym and sports field and, in some cases, to the church. They could correspond only with family members and their calls and visits were both restricted and monitored by guards. They were not eligible for parole and other prisoners were often instructed not to speak with them.

53. Former detainees systematically reported that those detained on politically motivated grounds were constantly found in breach of the prison rules, often for trivial or made-up reasons such as greeting the guards improperly. Most of them were labelled as “malicious” (“*zlostnik*”), a designation which triggered negative consequences and exposed them to further prosecution for “malicious disobedience” under article 411 of the Criminal Code. Punishments included further restrictions on calls, packages and visits, as well as confinement in punishment cells (punitive isolation cells (SHIZO) or cell-type confinement (PKT)). The Group documented that several detainees were placed in solitary confinement in punitive isolation cells for periods ranging from 3 to 15 days, in some cases extended up to 2 months, and subjected to sleep deprivation through deliberate exposure to cold temperatures. In addition to falling ill and developing various infections, detainees experienced severe mental distress, with one suffering from hallucinations and another attempting suicide. In most cases, the detainees were denied or received inadequate medical assistance. The Group considers that solitary confinement, and the repeated confinement of prisoners in punitive isolation cells (whether alone or with others), for no other purpose than to inflict additional suffering on a class of prisoners defined by their political opinions, violated their right to health and amounted to cruel, inhuman and degrading treatment and, in many cases, torture.<sup>33</sup>

54. Throughout their detention, former detainees reported enduring intense pressure to confess guilt or “cooperate” with the prison administration. In penal colony No. 4 for women in Homiel, many described being pressured upon arrival to admit guilt, with threats that their time in the colony would be unbearable if they refused. Those who resisted faced constant threats of never leaving the penal colony, leaving it with their health ruined or being immediately rearrested after release. One woman who asked to see a doctor while in solitary

<sup>32</sup> Information was gathered on penal colonies No. 1 (Novopolotsk), No. 2 (Bobruisk), No. 3 (Vitba), No. 15 (Mahiliou), No. 17 (Shklow) and No. 22 (Ivatshevichi). Pretrial detention centres and penal colonies are under the Department for Corrections of the Ministry of Internal Affairs.

<sup>33</sup> Rules 43–45 of the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules) prohibit solitary confinement exceeding 15 consecutive days. Solitary confinement of under 15 days is itself problematic and may also constitute torture or cruel, inhuman or degrading treatment or punishment. It should not be used for disciplinary purposes. See [A/66/268](#), paras. 84 and 88.

confinement reported being forced by a guard to admit guilt in writing before receiving medical assistance. Others recounted being relentlessly harassed, called “betrayers” or “enemies of the State,” and more frequently punished with restrictions, cell transfers or isolation in punishment cells. As a result of that mental strain, several interviewees experienced anxiety, depression, panic attacks and suicidal thoughts.

55. The Group documented one case in which the pressure to confess and repent amounted to torture. One woman recounted that, after resisting for two years the demands of the administration to request a pardon, she was transferred to a unit in which other inmates were instructed to make her life miserable. For a month and a half, they repeatedly poured buckets of cold water on her and her bed while she slept and shouted at her to kill herself. They also spoiled her food, cut her clothes, and put water and chlorine in her shoes to cause her feet to freeze while outside in winter. The interviewee, who also reported severe injuries resulting from repeated beatings in pretrial detention, was diagnosed with post-traumatic stress disorder.

56. The Group also documented that influential figures of the pro-democracy movement had been subjected to harsher conditions, amounting to cruel, inhuman or degrading treatment.<sup>34</sup> As at 31 December 2024, Mikalai Statkevich, Siarhei Tsikhanouski and Maksim Znak remained in incommunicado detention in different penal colonies, with their relatives reporting no contact since February or March 2023. The Group confirmed that, in November 2024, Maryia Kalesnikava had seen her father in penal colony No. 4 after more than 21 months of incommunicado detention. Women who saw her in the penal colony before their release in 2023 told the Group that inmates were strictly forbidden to talk to her. In early January 2025, a State-owned television channel broadcasted an interview with Ihar Losik while a video of Viktor Babaryka was posted on a pro-government Telegram channel. Both had been unheard of for almost two years. From March 2023 to December 2024, none of the above detainees had had access to a lawyer. Their former lawyers were either disbarred or arrested, some forced into exile, while their relatives reported being unable to hire new lawyers due to fear of persecution.

57. The Group recorded the death in custody of four persons held on politically motivated grounds in 2024 (three in the penal colonies and one in a pretrial detention centre) and has reasonable grounds to believe, on the basis of the evidence collected, that at least two of these deaths are the result of delayed or inadequate medical assistance. As at 31 December 2024, the Group was not aware of any steps taken by the Government to investigate those deaths.

### C. Forced exile

58. According to estimates, up to 600,000 people have left Belarus since 2020.<sup>35</sup> Those interviewed by the Group had been forced into exile by a well-founded fear of arbitrary arrest and detention, torture and ill-treatment, forced separation from their children and loved ones, and other forms of persecution for their real or perceived political views. Those released from detention highlighted the impossibility for former detainees to resume a normal life, find work and escape the omnipresent surveillance and harassment of the State. Even when practising strict “digital hygiene”, they lived in constant fear of rearrest, a fear nourished by strict post-release reporting requirements, frequent visits from the police, even in the middle of the night, mandatory “prophylactic talks”, loyalty checks and demands to act as informants. Parents feared being separated from their children again, while LGBTIQ+ individuals described an alarming surge in homophobic rhetoric and actions from the State. Those individuals, along with others, described a pervasive climate of fear and self-censorship, in which even innocuous messages or photos stored on a friend’s phone could resurface and upend their life. That unrelentless repression will likely drive more Belarusians into exile, further crippling the country’s hopes for democratic reform.

<sup>34</sup> Prolonged incommunicado detention may facilitate the perpetration of torture and can in itself constitute a form of cruel, inhuman or degrading treatment or even torture. See Human Rights Committee, general comment No. 20 (1992), para. 11; and Commission on Human Rights resolution 2003/32, para. 14.

<sup>35</sup> See <https://newideas.center/dyk-kolki-belarus-a-z-ehala> (in Belarusian).

## V. New restrictions on civic space

59. Ahead of the 2025 presidential election, Belarusian authorities continued their relentless efforts to purge the civic and democratic space from all potential sources of dissent and opposition. In 2024, another 228 civil society organizations were liquidated.<sup>36</sup> In addition, 87 entities and 1,168 persons were added to the “extremist” lists, with the effect of rendering any form of interaction with them subject to criminal prosecution.<sup>37</sup> Alongside those measures, the authorities tightened their control of schools and religious communities and introduced legislative measures drastically curtailing forms of LGBTIQ+ expression. To further uproot dissent and discredit the opposition in exile, they also expanded the surveillance capabilities of law enforcement bodies and launched criminal proceedings in absentia against hundreds of Belarusians in exile, exposing them to imprisonment in case of return.

### A. Reregistration of religious communities

60. In July 2024, Law No. 334-Z amending the Law on Freedom of Conscience and Religious Organizations took effect, subjecting all religious organizations to a mandatory process of reregistration within a year of its entry into force.<sup>38</sup> The stringent requirements for reregistration, including the obligation for religious organizations to be led by Belarusian citizens with permanent residence in the country, appear discriminatory against certain religions and are likely to affect smaller religious organizations.<sup>39</sup> Furthermore, Law No. 334-Z provides for the suspension and dissolution of religious organizations on vague grounds, such as discrediting the Belarus, conducting an activity against its main domestic and foreign policy orientations, humiliating national honour or engaging in political activities or other “extremist” activities. Unregistered religious organizations face criminal liability under article 193.1 of the Criminal Code. In parallel to the reregistration process, several interviewees reported that “ideological units” within municipal executive committees were actively monitoring the sermons and social media accounts of religious leaders and priests nationwide. In many cases, that surveillance was accompanied by intimidation and reprisals, forcing priests who spoke out against the war in Ukraine or the use of violence to self-censor or go into exile.

### B. Strengthened control over the education sector and censorship

61. In the summer of 2024, two private universities, including one of the oldest universities in the country, announced their closure. Another higher education institution announced that it would not enrol students for the 2024/25 academic year following a decision of the Ministry of Education. The Group was unable to verify the formal reasons for the closure, but they appear connected to previously documented efforts to eliminate perceived “strongholds” of dissent through a licensing process imposed in 2022.<sup>40</sup> Academics who had recently fled Belarus reported that university administrations continued to closely monitor research activities and scientific collaborations, impose pledges of loyalty, and punish with demotion and dismissal anyone challenging State-sanctioned views. Measures to promote adherence to State-imposed historical narratives also increased. At the end of 2023, the authorities introduced new textbooks for grades 1 to 11 comparing participants in

<sup>36</sup> See the list prepared by LawTrend at <https://www.lawtrend.org/liquidation-nko> (in Russian).

<sup>37</sup> For a total of 257 entities and 4,808 persons listed as “extremist” since the adoption of the counter-extremism laws in 2021.

<sup>38</sup> See <https://pravo.by/document/?guid=3871&p0=V19202054>.

<sup>39</sup> International Covenant on Civil and Political Rights, art. 18. Registration practices should not limit the right of persons to manifest their religion or belief, either alone or in community and in public or private. They should be servicing the full enjoyment of the right and thus be quick, transparent, fair, inclusive and non-discriminatory. See A/HRC/19/60, para. 73. See also <https://www.ohchr.org/en/press-releases/2024/02/belarus-un-experts-concerned-about-new-law-freedom-conscience-and-religious>.

<sup>40</sup> A/HRC/55/61, para. 46.



the protests in 2020 to Nazi collaborators.<sup>41</sup> In November 2024, the Ministry of Information asked distributors of print materials to conduct an audit of their publications and remove from sale those “harming the national interests of Belarus”, loosely defined as publications that, inter alia, “distort the historical truth and justice”, “promote non-traditional sexual relations” and “popularize subcultures that are not traditional for Belarusian society”.<sup>42</sup>

### C. Repression of the LGBTIQ+ community

62. In 2024, the Government further restricted the already constrained space for the expression of the LGBTQ+ community. In addition to declaring the “the safeguarding and promotion of the traditional family” as a matter of national security,<sup>43</sup> the authorities amended the definition of pornography in the regulation concerning the distribution and sale of erotic content and sexual education material. The new definition places homosexuality and transsexualism in the same category as paedophilia, bestiality and necrophilia, all classified as “non-traditional sexual relations and/or sexual behaviour” subject to censorship.<sup>44</sup> In February 2024, the Office of the Prosecutor General announced a draft law punishing the promotion of “non-traditional relationships” and the “voluntary refusal of childbirth”.<sup>45</sup> Those initiatives have been accompanied by increased surveillance, intimidation and arbitrary arrest and detention of LGBTIQ+ individuals, thus forcing many into exile. The Group has observed that homophobia and transphobia have been used by the authorities to discredit and stigmatize those who oppose or are perceived as opposing the Government.

### D. Increased digital surveillance

63. While already wielding broad powers, law enforcement agencies saw their digital surveillance capabilities enhanced in 2024, with the effect of further choking the already constricted online and democratic civic space. In January, a new presidential decree required carriers and dispatchers of irregular transport (e.g. taxis and minibuses) to use programmes with servers exclusively based in Belarus, provide the authorities remote access to orders and data in the carrier’s personal account and install cameras in vehicles for the video recording of rides.<sup>46</sup> In April, legislative amendments granted the Investigative Committee access to the personal data of Belarusians without their consent, along with the possibility of having remote access to the information systems containing it.<sup>47</sup> Those powers seem to lack independent judicial oversight and add to a long list of unchecked powers, such as the monitoring of emails and other web-based communications.<sup>48</sup>

64. In March, another presidential decree enabling security services to track Belarusians’ banking transactions entered into force.<sup>49</sup> Although aimed at combating fraud, the decree appeared closely tied to efforts to identify and prosecute individuals financially supporting political prisoners and opposition-linked groups. Starting in 2023, many Belarusians who had

<sup>41</sup> See <https://www.adu.by/images/2023/10/Genozid-bel-naroda-10-11-klass.pdf> (in Russian); <https://www.adu.by/images/2023/10/Genozid-bel-naroda-1-4-klass.pdf> (in Russian); and <https://belta.by/society/view/v-minske-prezentovali-uchebnye-posobija-rasskazyvajushchie-o-genotside-belorusskogo-naroda-v-gody-vov-599507-2023> (in Russian).

<sup>42</sup> See <http://mininform.gov.by/news/actual/vnimaniju-rasprostraniteley-pechatnoy-produktsii> (in Russian).

<sup>43</sup> Decision No. 5 of the All-Belarusian People’s Assembly (24 April 2024), available at <https://pravo.by/document/?guid=12551&p0=P924v0005>.

<sup>44</sup> Resolution No. 24 of the Ministry of Culture (19 March 2024), available at <https://pravo.by/document/?guid=12551&p0=W22441365>.

<sup>45</sup> See <https://belta.by/society/view/shved-podgotovlen-zakonoproekt-ob-otvetstvennosti-za-propagandu-netraditsionnyh-semejnyh-otnoshenij-616267-2024> (in Russian).

<sup>46</sup> Decree No. 32 (25 January 2024), available at <https://pravo.by/document/?guid=12551&p0=P32400032>.

<sup>47</sup> See <https://pravo.by/document/?guid=12551&p0=H12400007>.

<sup>48</sup> Decree No. 368 (18 October 2022), available at <https://pravo.by/document/?guid=12551&p0=P32200368>.

<sup>49</sup> Decree No. 269 (29 August 2023), available at <https://pravo.by/document/?guid=12551&p0=P32300269>.

made online donations were summoned to the Committee for State Security or the Department of Financial Investigations and threatened with prosecution under article 361-2 (financing of extremist activities) of the Criminal Code if they did not transfer money to a public healthcare or social facility. After paying the requested amount (on average \$500), all interviewees received a letter confirming that the criminal case against them had been closed. In February 2024, the Investigative Committee reported that Belarusians had made “voluntary donations” exceeding 37 million Belarusian roubles (about \$11.5 million).<sup>50</sup> Furthermore, the Group received information that dozens of Belarusians had been sentenced to prison terms under article 361-2.

65. In recent years, the authorities have also stepped up their surveillance of Belarusians in exile, their relatives and others suspected of being in contact with dissenters. Several persons recently released from detention reported that security forces had forcibly installed a spy software linked to Telegram on their phones, which transmitted their messages and other information to law enforcement authorities. Many interviewees also told the Group that the Committee for State Security had threatened them with imprisonment if they refused to sign cooperation agreements to spy on suspected dissenters, infiltrate chatrooms or provide information about civil society organizations abroad. Relatives of Belarusians in exile also reported having been pressured by members of the security forces to disclose their whereabouts, provide their contact details or convince them to return to Belarus. In many cases, their houses and mobile phones were searched without a warrant. In addition, several persons were arrested and detained following border checks that included searches of their mobile phones.

## E. Repression of Belarusians in exile

66. In 2024, the Investigative Committee opened “special proceedings” against hundreds of Belarusians in exile, including 104 persons who had rallied to mark “Freedom Day” (the 1918 Declaration of Independence) in different European cities and 257 participants who had run in the elections to the Coordination Council in exile.<sup>51</sup> They were charged under various articles of the Criminal Code for discrediting Belarus, conspiring to seize State power, calling for sanctions, creating an extremist group and participating in it, and assisting extremist activity, among others. Many of those targeted by the investigations told the Group that their property in Belarus had been sequestered by the Investigative Committee to allow for the recovery of fines and damages in case of conviction.<sup>52</sup> As the President stated in April 2024: “If you have property in Belarus, I advise you to forget about it, but do not put your relatives at risk.” In all cases, they had learned about the measure through their relatives or media sources. None had been notified of the charges or the commencement of “special proceedings”.<sup>53</sup>

67. The Group documented that at least 87 individuals (58 men and 29 women) had been tried in absentia in 2024, four times more than in 2023. All had been convicted and sentenced to long prison terms and hefty fines reaching up to 600,000 Belarusian roubles. None of those interviewed by the Group had been contacted before and during the proceedings by the State-appointed lawyer supposed to represent them as required by law.<sup>54</sup> The judgments were not made public, thereby preventing the preparation of an appeal. The Group notes that people convicted in absentia face imprisonment upon their return to Belarus, extradition, potential loss of nationality and significant financial penalties, including the seizure of their property for the payment of fines and damages. As at 31 December 2024, the Group had

<sup>50</sup> See <https://www.sb.by/articles/gora-ozvuchil-kolichestvo-ugolovnykh-del-ekstremistskoy-napravlenosti-peredannykh-v-sud-v-2023-godu.html> (in Russian).

<sup>51</sup> Political organization formed after the 2020 presidential election to represent the opposition.

<sup>52</sup> The measure prevents the owner from selling or transferring the property.

<sup>53</sup> Article 14 (3) (a) of the International Covenant on Civil and Political Rights requires a State to take all steps necessary to inform the accused persons of the charges and to notify them of the proceedings. Posting a notice on the website of the Investigative Committee, which is not accessible from outside Belarus, may not meet this requirement. Human Rights Committee, *Mbenge v. Zaire*, communication No. 16/1977, para. 14.1; and *Maleki v. Italy*, communication No. 699/1996, para. 6.4.

<sup>54</sup> Criminal Procedure Code, art. 46.



verified that the properties of at least two individuals in exile had been auctioned by the authorities, in violation of their right not to be arbitrarily deprived of their property.<sup>55</sup>

68. Many Belarusians in exile also recounted facing difficulties in their host country due to the implementation of Presidential Decree No. 278 of 4 September 2023, which prevents the renewal and issuance of passports and other official documents abroad and forbids real estate property transactions in Belarus under powers of attorney established abroad.<sup>56</sup> As returning to Belarus would expose them to arrest, they struggled to obtain legal residence, enrol in universities or find work, and were unable to sell or transfer their property in Belarus. Some also reported that their relatives in Belarus had been forced to pay their fines, were fired from their work or threatened with prosecution for supporting “extremists”.

## VI. Crimes against humanity

69. The Group has reasonable grounds to believe that some of the human rights violations documented in the present report amount to international crimes in that they were committed intentionally as part of a widespread and systematic attack against a segment of the civilian population of Belarus, and the perpetrators of these violations had knowledge of the attack and knew that their acts were a part of it.

70. Examining the contextual elements necessary to establish crimes against humanity, as defined in international customary law, the Group endorses previous findings and concludes that considered cumulatively, the organized nature of the above-mentioned violations and their persistence through the years render it improbable that they were random and accidental.<sup>57</sup>

71. Specifically, the Group considers that the attack directed against the civilian population was “widespread” based on the number of victims and the recurrence across the country of patterns of human rights violations amounting to crimes. The Group finds that the attack was “systematic” because of the organized nature of the crimes and the improbability of their random occurrence. The crimes were committed as part of a pattern of organized conduct, following instructions, encouragement and endorsement by high-level officials, and implemented by individual perpetrators.

72. The crimes described in the present report involved a wide range of institutional actors who acted as part of a concerted plan to silence, discourage and quash any opposition, perceived or real, to the Government of President Lukashenko.

73. The Group found that, since May 2020, individuals belonging to the following State entities have been involved in gross human rights violations and related crimes: the police and special police forces (namely, the Special Purpose Police Detachment (OMON), the Special Rapid Response Unit (SOBR), the Alpha Group, the Almaz Special Anti-Terrorism Unit (Almaz) and special forces (STORM) units); the Main Directorate for Combating Organized Crime and Corruption, operating under the Ministry of Internal Affairs, which, together with the Investigative Committee, reports directly to the President; the Committee for State Security; the Office of the Prosecutor General; the Ministry of Justice; courts at all levels; detention facilities under the Directorate for Corrections; the executive committees at the city, regional and municipal levels; and State-owned and State-controlled media.

74. The orchestrated campaign of violence and mistreatment was directed against Belarusians perceived as being critical of, or opposed to, the Government. The continued involvement of multiple State actors within the intelligence and security apparatus, coupled with a complete lack of accountability, suggests that the attacks against the civilian population remain ongoing, widespread, systematic and are being carried out in furtherance of government policy.

<sup>55</sup> Universal Declaration of Human Rights, art. 17 (2).

<sup>56</sup> See [https://president.gov.by/fp/v1/953/document-thumb\\_\\_49953\\_\\_original/49953.1693896077.34a63a2e5e.pdf](https://president.gov.by/fp/v1/953/document-thumb__49953__original/49953.1693896077.34a63a2e5e.pdf) (in Russian).

<sup>57</sup> A/HRC/49/71, para. 84; A/HRC/52/68 and A/HRC/52/68/Corr.1, para. 54; and A/HRC/55/61, paras. 50–52.

## A. Imprisonment

75. Imprisonment as a crime against humanity is defined as the imprisonment or otherwise severe deprivation of liberty of one or more persons by the perpetrator, who is aware of the factual circumstances that established the gravity of the conduct.<sup>58</sup> The imprisonment must be in violation of fundamental rules of international law. In assessing the arbitrary nature of the imprisonment, international jurisprudence identified the following factors: whether a valid warrant of arrest was issued; whether the detainee was informed of the reason for the arrest; whether the detainee was formally charged; and whether the detainee was informed of any procedural rights.<sup>59</sup> The Group also considered whether the arrest was based on a legitimate ground for deprivation of liberty.

76. The Group finds that members of the security forces, while aware that their actions constituted violations of international law, arbitrarily arrested and detained Belarusians. While those violations were at their peak in 2020 and 2021, they continued throughout 2022–2024 in a systematic and widespread manner, affecting thousands of Belarusians. In 2023 and 2024, amid severe restrictions on civic space, no demonstrations took place, although thousands continued to be arbitrarily arrested and detained for exercising their freedom of expression, association or assembly in 2020 and after.

77. As at 31 December 2024, at least 1,265 persons, including 168 women, remained in detention, either facing or serving sentences for politically motivated charges.<sup>60</sup> Those who served or are serving prison terms on politically motivated charges since 2020 were convicted and sentenced following unfair trials before courts lacking independence and impartiality (annex I). The Group found a pattern of sentences based on forced confessions, often obtained through torture, and imposed after trials lacking fair trial guarantees.

78. Building on the findings of OHCHR and as established in section III, the Group finds that there are reasonable grounds to believe that imprisonment as an underlying act of crimes against humanity has been committed as part of the widespread and systematic attack directed against a segment of the civilian population of Belarus since 1 May 2020.

## B. Persecution on political grounds

79. Discrimination is the main feature that distinguishes the crime of persecution from other crimes against humanity.<sup>61</sup> Persecution is defined as the intentional and severe deprivation of fundamental rights contrary to international law by reason of the identity of the group or collectivity.<sup>62</sup>

80. Since 1 May 2020, a range of State actors and institutions, following orders issued by the President, have engaged in the commission of serious human rights violations and related crimes as part of a discriminatory policy to systematically persecute and silence any person, and dismantle any civic or political organization, holding positions different from, or perceived as being critical of, or opposed to, the Government. The use of derogatory language in relation to that particular group by high-level officials indicates discriminatory intent. Political prisoners in detention are routinely referred to as “traitors”, “enemies of the State”, “*zmagar*”, “extremists” and “Nazis” by law enforcement officials.

81. The commission of crimes, in the context of a deprivation of fundamental rights of victims, aggravated by discriminatory intent, leads the Group to endorse the conclusion that the crime against humanity of persecution on political grounds has been committed against Belarusians perceived as being critical of, or opposed to, the Government.

<sup>58</sup> International Criminal Court, Elements of Crimes, art. 7 (1) (e).

<sup>59</sup> See, for example, International Criminal Tribunal for Rwanda, *Prosecutor v. Ntagerura et al.*, Case No. ICTR-99-46-T, Judgment, 25 February 2004, para. 702.

<sup>60</sup> Viasna, “Human rights situation in Belarus, December 2024”.

<sup>61</sup> International Criminal Tribunal for the Former Yugoslavia, *Prosecutor v. Kvočka et al.*, Case No. IT-98-30/1-T, Judgment, 2 November 2001, para. 194.

<sup>62</sup> Rome Statute of the International Criminal Court, art. 7 (1) (h).

82. The violations and crimes investigated by the Group and described in the present report engage both the responsibility of the State and individual criminal responsibility.

## VII. Conclusions and recommendations

83. In the present report, the Group has shown that the Government of Belarus has remained firmly committed to eradicating every expression of dissent. Despite the release of 227 pardoned political prisoners in 2024, the Government has shown no willingness to open a space for democratic dialogue. Instead, the authorities have continued to punish with arbitrary arrest and detention those holding diverging political opinions. The Group recalls that the repressive practices documented in the present report are not new but have their roots in long-standing patterns of governance. Without comprehensive legislative and institutional reforms, the political and human rights crisis in Belarus is likely to perdure.

84. The Group urges the Government of Belarus:

(a) To immediately and unconditionally release all those unlawfully or arbitrarily detained for the peaceful exercise of their freedoms of expression, association and peaceful assembly, or their legitimate functions, including human rights defenders, trade unionists, journalists and lawyers, and cease and reverse any administrative or criminal proceedings against individuals for the mere exercise of their human rights;

(b) To re-engage in a meaningful and non-selective manner with United Nations human rights bodies and mechanisms and develop with their help, and the participation of all relevant stakeholders, including civil society organizations outside Belarus, a comprehensive plan of legislative and institutional reforms addressing the structural causes of the human rights violations documented since May 2020;

(c) To cease using counter-terrorism and counter-extremism laws, as well as other laws, to silence dissent and take effective measures to facilitate the exercise of the rights to freedom of expression, assembly, association and religion;

(d) To immediately cease and publicly condemn torture, including sexual violence, and ill-treatment of all those arrested and detained on politically motivated grounds, and provide independent monitors with unimpeded and confidential access to all places of detention;

(e) To bring the conditions in detention facilities across the country into line with international standards, including the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules) and the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules), and conduct effective, prompt and transparent investigations into all reported deaths in custody since May 2020;

(f) To promptly initiate independent, impartial, effective and transparent investigations into all past violations of human rights, in particular those that the Group has found that there are reasonable grounds to believe amount to crimes under international law, and ensure that all victims obtain redress and remedy, including compensation.

85. The Group also recommends that the States Members of the United Nations:

(a) Keep the situation of political prisoners high on the international agenda, insist on their release, and continue requesting visits to places of detention and information about their health and communication with the outside world;

(b) Work towards accountability through national proceedings based on accepted principles of extraterritorial and universal jurisdiction, as well as through other possible avenues, and, in combination, explore other appropriate measures against alleged perpetrators of grave human rights violations, consistent with international law;

(c) Facilitate international refugee protection, as needed, and provide additional protection measures, where necessary, to victims, witnesses and other persons who have had to leave the country, including by facilitating the issuance and recognition of travel and identity documents;

(d) Continue supporting Belarusian human rights organizations in exile, including those providing psychosocial assistance to victims of arbitrary detention, torture, including sexual violence, ill-treatment and other severe human rights violations.

Advance edited version

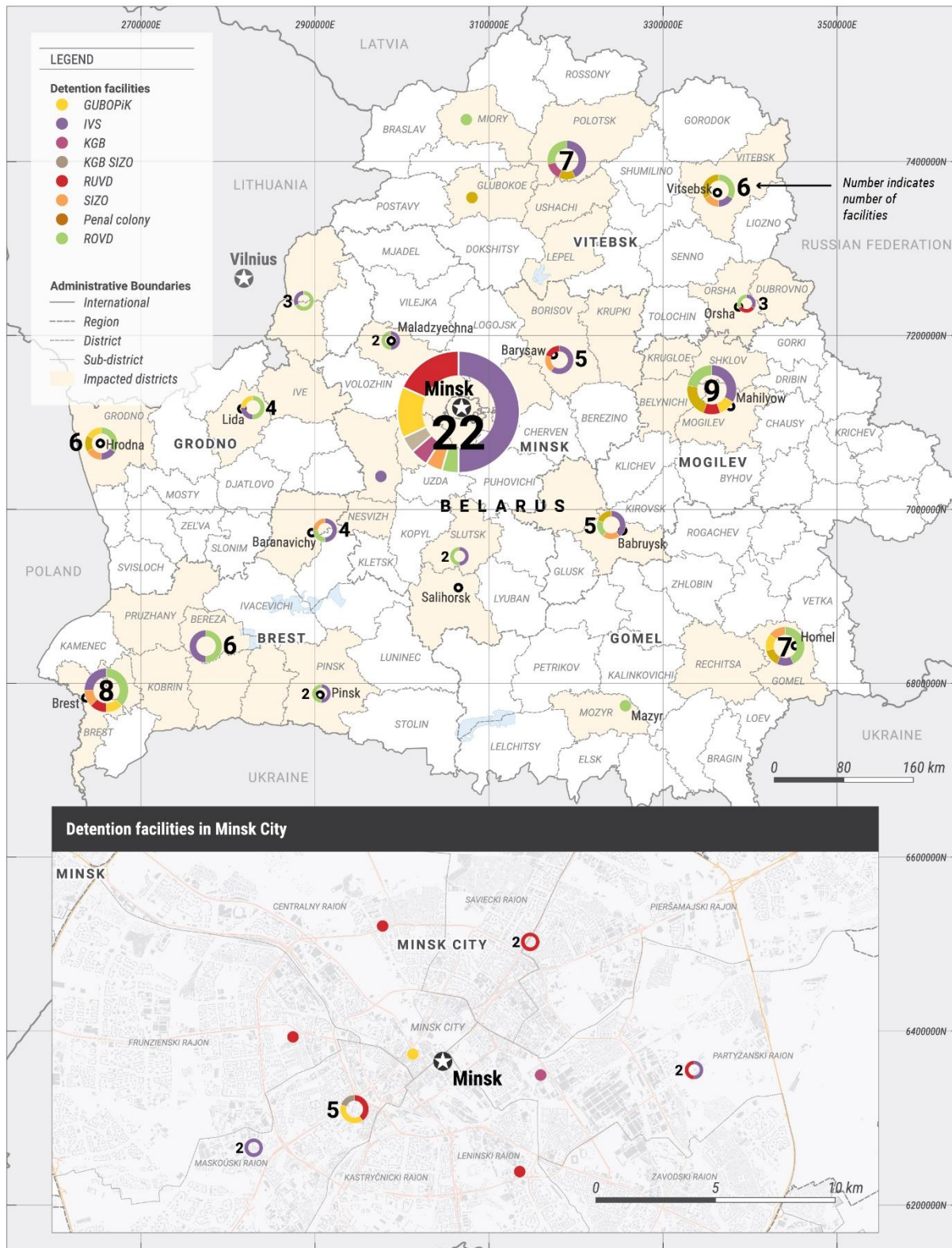
# Annex I



## BELARUS: Detention facilities where human rights violations were committed from 20 May 2020 to 31 December 2024

Group of Independent Experts on the Human Rights Situation in Belarus (GIE Belarus)

December 2024



Created: 4 December 2024 Authors: GIE Belarus, ISDSS/HRIB/OHCHR Sources: GIE Belarus, OCHA, OSM Contact: ohchr-isdss@un.org

## Annex II

### Correspondence with Belarus

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UNITED NATIONS  
HUMAN RIGHTS  
OFFICE OF THE HIGH COMMISSIONER

THE SECRETARIAT OF THE GROUP OF INDEPENDENT EXPERTS ON THE HUMAN RIGHTS  
SITUATION IN BELARUS

E-MAIL : [giebelarus@un.org](mailto:giebbelarus@un.org)

Ref: GIEB/001

The Secretariat of the Group of Independent Experts on the Human Rights Situation in Belarus (GIEB) presents its compliments to the Permanent Mission of the Republic of Belarus to the United Nations Office and other international organizations in Geneva and has the honour to refer to the enclosed resolution A/HRC/RES/55/27 on the "Situation of human rights in Belarus" adopted by the Human Rights Council on 4 April 2024.

The above-mentioned resolution, inter alia, mandates the Group of Independent Experts "[t]o investigate and establish the facts, circumstances and root causes of all alleged human rights violations and abuses committed in Belarus since 1 May 2020, including their gender and age dimensions and their impact on victims and survivors" as well as "[t]o engage with all relevant stakeholders [...]" and "with the Belarusian authorities to assist them in fulfilling their international human rights obligations".

To fulfil its mandate, the Secretariat of the GIEB respectfully requests official access to the territory of the Republic of Belarus to deploy the independent experts with a team of human rights officers in order to carry out an investigation of the human rights situation in Belarus, as well as meet with relevant national authorities, representatives of civil society organizations and other relevant stakeholders. The Secretariat of the GIEB stands ready to engage in any necessary consultations with the Permanent Mission of the Republic of Belarus concerning relevant practical arrangements and details of the mission in order to facilitate this request.

Additionally, the Secretariat of the GIEB invites the Permanent Mission of the Republic of Belarus to make submissions on relevant information or documentation related to this mandate by 1 November 2024, at the latest.

The Secretariat of the GIEB avails itself of the opportunity to renew to the Permanent Mission of the Republic of Belarus to the United Nations Office and other international organizations in Geneva the assurances of its highest consideration.

Vienna, 7 August 2024



Permanent Mission of the Republic of Belarus to the United Nations Office and other international organizations  
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Date  
Ref: GIEB/002

The Secretariat of Group of Independent Experts on the Human Rights Situation in Belarus (GIEB) presents its compliments to the Permanent Mission of the Republic of Belarus to the United Nations Office and other international organizations in Geneva and has the honour to refer to the enclosed resolution A/HRC/RES/55/27 on the "Situation of human rights in Belarus adopted by the Human Rights Council on 4 April 2024.

The above-mentioned resolution, inter alia, requests the Group of Independent Experts "to engage with the Belarusian authorities and all stakeholders...[and] to investigate and establish the facts, circumstances and root causes of all alleged human rights violations and abuses committed in Belarus since 1 May 2020, including their gender and age dimensions and their impact on victims and survivors."

In fulfilment of this mandate, The Secretariat of the GIEB wishes to request a meeting with the Permanent Mission in advance of the oral update that the Group of Independent Experts will be delivering to the Human Rights Council on 20 September 2024. The Group of Independent Experts stands ready to meet in person in Geneva from 16 to 19 September and discuss all matters pertaining to the GIEB's mandate.

Additionally, The Secretariat of the GIEB would like to reiterate its invitation to the Permanent Mission of the Republic of Belarus to make submissions on relevant information or documentation related to this mandate by 1 November 2024, at the latest.

The Secretariat of the GIEB avails itself of the opportunity to renew to the Permanent Mission of the Republic of Belarus to the United Nations Office and other international organizations in Geneva the assurances of its highest consideration.

Vienna , 5 September 2024

*ICHRB*

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*Ref: GIEB/008*

Excellency,

We have the honour to address you in our capacity as the Group of Independent Experts on the Human Rights Situation in Belarus pursuant to Human Rights Council resolution 55/27.

In line with our mandate “to engage with the Belarusian authorities to assist them in fulfilling their international human rights obligations”, we would like to bring to the attention of your Excellency’s Government information we have received concerning allegations of deaths in Belarusian detention facilities since 1 May 2020. The Group of Experts on the human rights situation in Belarus is collecting testimonies, information and evidence relating to deaths in custody since 2020 and has reasonable grounds to believe that a large number of these deaths resulted from a failure to protect life in detention and amount to violations of the right to life. The Group of Experts continues to investigate a number of cases of possible unlawful deaths in custody that reportedly occurred in 2024.

In this context, we would like to remind your Excellency’s Government of the international human rights instruments and standards relevant to these allegations. In particular, we wish to refer your government to the articles 3 of the Universal Declaration of Human Rights (UDHR) and 6(1) of the International Covenant on Civil and Political Rights (ICCPR), ratified by Belarus on 12 November 1973, which guarantee everyone’s right to life, personal security and not to be arbitrarily deprived of life.

In addition, we wish to underline article 10 of the ICCPR, which stipulates that all persons deprived of their liberty shall be treated with humanity and with respect for the inherent dignity of the human person. We also wish to refer to article 2(1) of the ICCPR that establishes a general duty to ensure the rights recognized by the ICCPR. This article has been interpreted to have established a State duty to take positive measures to protect the right to life.

We would also like to refer your Excellency’s Government to Article 7 of the International Covenant on Civil and Political Rights, which provides that “[n]o one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.”

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*Presumption of State responsibility*

The International Covenant on Civil and Political Rights provides that every individual has the right to life and security of the person, that this right shall be protected by law, and that no person shall be arbitrarily deprived of his or her life (article 6). When the State detains an individual, it is held to a heightened level of diligence in protecting that individual's rights.

When an individual dies because of injuries sustained while in State custody, there is a presumption of State responsibility.

In this respect we would like to recall the conclusion of the Human Rights Committee in a custodial death case (*Dermot Barbato v. Uruguay*, communication no. 84/1981 (21/10/1982), paragraph 9.2): "While the Committee cannot arrive at a definite conclusion as to whether Hugo Dermot committed suicide, was driven to suicide or was killed by others while in custody; yet, the inescapable conclusion is that in all the circumstances the Uruguayan authorities either by act or by omission were responsible for not taking adequate measures to protect his life, as required by article 6 (1) of the Covenant."

In order to overcome the presumption of State responsibility for a death resulting from injuries sustained in custody, there must be a "thorough, prompt and impartial investigation of all suspected cases of extra-legal, arbitrary and summary executions, including cases where complaints by relatives or other reliable reports suggest unnatural death in the above circumstances" (Principle 9 of the Principles on the Effective Prevention and Investigation of Extra-legal, Arbitrary and Summary Executions). This principle was reiterated by the Human Rights Council in resolution 8/3, stating that all States have "to conduct exhaustive and impartial investigations into all suspected cases of extrajudicial, summary or arbitrary executions". The Council added that this includes the obligations "to identify and bring to justice those responsible, ..., to grant adequate compensation within a reasonable time to the victims or their families and to adopt all necessary measures, including legal and judicial measures, in order to bring an end to impunity and to prevent the recurrence of such executions".

In line with international law, we urge your Excellency's Government to carry out expeditious, independent and transparent inquiries into the circumstances surrounding any death in detention since 1 May 2020, also with a view to taking all appropriate disciplinary and prosecutorial action and ensuring accountability of any person guilty of the alleged violations, as well as to compensate the deceased's family where guilt was established.



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We strongly reiterate that every death in custody must be investigated and that investigations should establish the cause, manner, place and time of death, as well as any pattern or practice that may have caused it. When investigating prison related deaths, the Minnesota Protocol on the Investigation of Potentially Unlawful Death (2016) must be observed. Death certificates must be completed by a forensic doctor, a copy provided to the next of kin, the cause of death and other findings explained to the family and deaths registered. The prisoner's next of kin must be kept fully informed and proper reparations should be provided to the family.

In this context, and as it is our responsibility under the mandate provided to us by the Human Rights Council, we would be grateful for information provided on the following matters:

1. Please provide any additional information and/or comment(s) you may have on all steps taken by Belarusian authorities to prevent and investigate all instances of death in custody.
2. Please provide a list of persons who died in the custody of Belarus authorities since 1 May 2020.
3. Please provide detail on the steps taken to investigate the cause of death, and the outcome of investigation, of any person who died in the custody of Belarus authorities since 1 May 2020.
4. Indicate whether when investigating prison related deaths, the Minnesota Protocol on the Investigation of Potentially Unlawful Death (2016) is observed.
5. Please outline the measures taken to ensure the effectiveness, transparency, independence, and impartiality of the investigative process.
6. Please provide any information on findings of potential criminal liability in connexion to deaths in custody and whether such findings have led to prosecutions.
7. Please outline the steps taken to uphold and protect the rights of the families to the truth, justice and reparation.

We would be grateful to receive replies and any other submissions that the Government may wish to present, no later than 20 December 2024. While awaiting a reply, we urge that all necessary interim measures be taken to halt the alleged violations and prevent their re-occurrence.

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This communication and any response received from your Excellency's Government will be made public as annexes to the mandate report to be presented to the Human Rights Council in March 2025, with the exception of any information that the Government of Belarus requests to remain confidential.

Please accept, Excellency, the assurances of our highest consideration.

Vienna, 29 November 2024

A handwritten signature in blue ink, appearing to read 'G. Groef'.



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Ref: GIEB/010

The Secretariat of Group of Independent Experts on the Human Rights Situation in Belarus (GIEB) presents its compliments to the Permanent Mission of the Republic of Belarus to the United Nations Office and other international organizations in Geneva and has the honour to refer to resolution A/HRC/RES/55/27 on the "Situation of human rights in Belarus adopted by the Human Rights Council on 4 April 2024.

The Secretariat of the GIEB has the honour to share the draft report of the Group to the Human Rights Council.

The GIEB welcomes your comments on the draft. If you wish to send comments, the GIEB would be grateful to receive them by 28 January, end of day. In addition, the GIEB would appreciate being informed whether these comments can be made public. Until the GIEB releases the public final version of the report, this draft is subject to change and remains confidential.

The Secretariat of the GIEB avails itself of the opportunity to renew to the Permanent Mission of the Republic of Belarus to the United Nations Office and other international organizations in Geneva the assurances of its highest consideration.

Vienna, 22 January 2025



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