

National Human Rights Index

<https://index.belhelcom.org>

2023

General Human Rights Measures:

Expert Commentary

The score:	1,7	-0,1
Including scores by component:		
• State policy on human rights	1,4	-0,1
• Interaction with civil society	1,3	
• Interaction with international mechanisms	2	
• Equality and non-discrimination	2,2	-0,1

In assessing the situation with general human rights measures in 2023, the Index experts gave lower scores than in 2022. **Among the main reasons are:**

- adoption of the Concept of Legal Policy, which introduces "historical-ideological foundations and ideological imperatives of legal policy" to justify the ideologization of legal policy;
- continued persecution of CSOs, human rights defenders, media, activists, relatives of political prisoners, and lawyers. In 2023, leaders of the Human Rights Center "Viasna" and human rights activist from "Human Constant" were convicted;
- amendments to the Criminal Code introducing new "extremist" crimes and expanding the scope of the death penalty;
- in February 2023, the UN OHCHR Report for the first time stipulated that some of the crimes committed in the run-up to and after the 2020 presidential elections " could amount to crimes against humanity";
- the Law "On the Foundations of Civil Society" came into force, effectively establishing a hierarchy of CSOs; even more restrictive amendments were made to the Laws "On Public Associations", "On Political Parties" (only 4 parties survived re-registration of parties) and "On Freedom of Conscience and Religious Organizations";
- the practice of recognizing CSOs as "extremist formations" was significantly expanded;
- starting from January 1, 2023, a single unified system "обращения.бел" was launched, significantly limiting the possibility of submitting electronic appeals to state bodies;
- the range of discriminated groups has expanded, new vulnerable groups have appeared - Belarusians from abroad, citizens who have documents granting benefits and advantages in foreign countries; mass cases of ethnic profiling of Ukrainians and persons of Ukrainian origin have been reported;



#human rights

#business and human rights

#discrimination

#human rights based approach

#international human rights enforcement mechanisms



office@belhelcom.org



www.belhelcom.org

- **State policy on human rights**

As previously, in 2023 the state consistently pursued a policy aimed at violating human rights. The state also continued to create conditions for the adoption of measures that would contravene international human rights standards. This practice was extended in 2023 to new areas.

In 2023, the Concept of Legal Policy was adopted¹, according to which the concept of "historical-ideological bases and ideological imperatives of legal policy" was introduced, which substantiate why all legal norms and standards functioning in democratic societies should be applied to the Belarusian people with an adjustment for the specifics of their (the people's) path. Among such imperatives is patriotism, which is defined, among other things, as the necessity to put the interests of the state above personal interests. The adoption of this document is considered by experts as a significant step towards formalization of ideology, consolidation of the ideological basis of lawlessness, substitution of the essence of the principles of democratic society².

The state continued to create conditions for suppressing dissent, which makes it impossible to effectively realize human rights. Civil society organizations (CSOs), human rights defenders, the media, their leaders and activists, and relatives of political prisoners are persecuted. With regard to political prisoners in 2023, the authorities applied the practice of "*incommunicado*" detention, which is a grave violation of human rights³. Thus, a number of political prisoners are not allowed to receive correspondence, as well as their outgoing correspondence is blocked, and their lawyers and relatives are not allowed to visit them.⁴

Moreover, the Criminal Code of the Republic of Belarus (hereinafter - CC) has been supplemented with new elements of "extremist" crimes⁵. In addition, in March 2023, amendments to the CC came into force, which expand the scope of the death penalty⁶ and increase the risk of imposing the death penalty in an arbitrary, illegal and discriminatory manner⁷.

¹ <https://president.gov.by/ru/documents/ukaz-no-196-ot-28-iyunya-2023-g>

² [Human Rights in Belarus: Main Trends of State Policy](#). July-December 2023, Belarusian Helsinki Committee (Public Policy Trends, BHC Review) Pp. 10-11,

³ <http://spring96.org/ru/news/111682> This situation was also the subject of a [statement](#) by the UN Special Rapporteurs.

⁴ <https://belsat.eu/ru/news/22-11-2023-ne-tolko-babariko-statkevich-i-tihanovskij-o-mnozhestve-politzaklyuchennyh-davno-net-izvestij>, <https://charter97.org/ru/news/2023/6/18/552394/>, <https://novayagazeta.eu/articles/2024/02/13/bez-prava-perepiski>

⁵ In particular, article 289-1 of the Criminal Code provides for criminal liability for "propaganda of terrorism or its public justification" (the maximum penalty is 7 years' imprisonment); article 369-1 of the Criminal Code (discrediting the Republic of Belarus) has been supplemented with liability for dissemination of knowingly false information discrediting the Armed Forces of the Republic of Belarus, other troops and military formations, and paramilitary organizations of the Republic of Belarus.

⁶ In relation to state officials and military personnel convicted of high treason (part 2 of article 356 of the Criminal Code): <https://pravo.by/document/?guid=12551&p0=H12300256>

⁷ See: National Human Rights Index. The right to life: expert commentary, , 2022. P. 3



#human rights

#business and human rights

#discrimination

#human rights based approach

#international human rights enforcement mechanisms



office@belhelcom.org



www.belhelcom.org

In 2023, amendments to the Law on Constitutional Proceedings⁸ concerning the instrument of individual constitutional complaint entered into force. There is a possibility for citizens to appeal to the Constitutional Court with a complaint against a law applied in a specific case and violating constitutional rights and freedoms. According to experts, the instrument of constitutional complaint has the potential to trigger positive changes in the field of human rights, but it should be noted that the amendments to the Law "On Constitutional Procedure" are formulated in such a way as to create a semblance of a real possibility for citizens to file a constitutional complaint. Since the practice of considering constitutional complaints was absent during the period under review, the impact of this mechanism on the situation in the field of ensuring effective remedies for 2023 cannot be adequately assessed⁹. In addition, there is no possibility to file a complaint on behalf of a group of citizens whose rights and interests are affected.

In the context of effective remedies, it is worth noting the ongoing repression of defense lawyers, which is worsening the quality of legal aid in the country. In 2023, the total number of defense lawyers has decreased, many lawyers are disbarred as a punishment for providing legal aid in politically motivated cases, those who continue to practice in the country refuse defendants in politically sensitive cases for security reasons, due to intimidation, pressure exerted on them, including through disciplinary procedures¹⁰. In 2023, lawyers were detained¹¹, prosecuted administratively and criminally with long prison sentences¹².

In addition, there was an increase in the number of cases¹³ tried under the "special" procedure - without the presence of defendants located outside Belarus - on "protest" articles¹⁴. In 2023, the possibilities for review of criminal convictions on the merits were also reduced¹⁵.

Militarization is also increasing - in 2023 it became known that the heads of Russia and Belarus agreed to deploy Russia's tactical nuclear weapons on the territory of Belarus¹⁶, as well as the PMC Wagner

⁸ <https://pravo.by/document/?guid=12551&p0=H12300284>

⁹ https://www.defendersbelarus.org/constitucionnaja_zhaloba

¹⁰ See: National Human Rights Index. The Right to a Fair Trial: Expert Commentary, 2023

¹¹ On March 20, 2023, at least 6 lawyers were detained simultaneously by the GUBOPiK officers. They were interrogated, searched, and their equipment was seized. Three of them were brought to administrative responsibility. [Advocacy Crisis Report: Continued Repression 2022 - 2023](#) P. 14-15

¹² In 2023, sentences were imposed on attorneys: [Alexander Danilevich](#), [Vitaly Braginets](#), [Anastasia Lazarenko](#), [Aljaksei Barodka](#), [Julija Jurhilevicz](#), [Mikhail Makarau](#)

¹³ In 2023, the [Internet portal](#) of the courts of general jurisdiction of the Republic of Belarus posted 21 notices on summoning the accused and scheduling a court hearing under the special procedure in respect of 18 persons (in respect of 3 of them - two hearings in different cases). In 2022, 8 such notices were posted.

¹⁴ NEXTA [case](#), Coordination Council [case](#), [case](#) of ex-restaurateur Vadim Prokopyev, [case](#) of BYPOL creators and participants, [case](#) against Elena Zhylochkina (Zhivoglod), Pavel Liber, Alexander Dobrovolsky and Pavel Marinich started, for details on the special procedure see. National Human Rights Index. The Right to a Fair Trial: Expert Commentary, 2022

¹⁵ See National Human Rights Index. The Right to a Fair Trial: Expert Commentary, 2023

¹⁶ <https://news.zerkalo.io/economics/35409.html>, <https://rada.vision/doc/zayava-kaardynacyjnaj-rady-belarusi-suvyazi-z-damo-lenascju-ab-razmyashchenni-belarusi-yadzernaj-zbroi>



#human rights

#human rights based approach



office@belhelcom.org

#business and human rights

#international human rights enforcement mechanisms



www.belhelcom.org

#discrimination

fighters, who are engaged by the authorities to train military personnel.¹⁷

In February 2023, the Report of the UN High Commissioner for Human Rights, made under the mandate to review the human rights situation in Belarus and on the basis of the findings of specially appointed experts, stated for the first time that some of the crimes committed in the run-up to and after the 2020 presidential elections "[s]ome of the violations [described in that report] may also amount to crimes against humanity, as defined in international customary law, when such acts are committed as part of a widespread or systematic attack directed against any civilian population, with knowledge of the attack"¹⁸.

There has been no change in the human rights education system in 2023. In practice, educational institutions themselves broadcast attitudes incompatible with human rights values¹⁹.

- **Interaction with civil society**

In 2023, experts noted a deterioration in the situation with ensuring the participation of civil society in the development of normative legal acts, as well as cooperation between civil society and the state in the implementation of national policies and programs in the field of human rights.

Thus, in May 2023, the law "On the Fundamentals of Civil Society" came into force and essentially established a hierarchy of non-profit organizations depending on their interaction with the state - 5 "pro-governmental" organizations were included in those entitled to "special forms of interaction" within the framework of the All-Belarusian People's Assembly²⁰.

Amendments were also made to the Laws²¹ "On Public Associations," "On Political Parties," and "On Freedom of Conscience and Religious Organizations," thereby expanding the legislative basis for the creation of unidirectional ("pro-government") rhetoric in the field of human rights, thus effectively eliminating opportunities for real pluralistic discussion of acts, policies, and programs.²²

¹⁷ <https://www.belta.by/society/view/kubakov-vstretitsja-s-predstaviteljami-chvk-vagner-578533-2023/>, <https://www.belta.by/society/view/chvk-vagner-provodit-sovmestnye-trenirovki-s-vooruzhennymi-silami-belarusi-na-poligone-brejskij-577843-2023/>

¹⁸ <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G23/009/01/PDF/G2300901.pdf?OpenElement>

¹⁹ Thus, in May 2023, the official Instagram account of the Law Faculty of the Belarusian State University posted a video in which a student "repented" that he "publicly disseminated information discrediting the administration of the Law Faculty, as well as information defaming the image of the BRSM of the Law Faculty", <https://news.zerkalo.io/life/39896.html?c>

²⁰ The Republican Public Association "Belaya Rus", the Belarusian Public Association of Veterans, the Public Association "Belarusian Union of Women", the Public Association "Belarusian Republican Youth Union" (BRSM), as well as the Federation of Trade Unions of Belarus, <https://www.lawtrend.org/yanvar-noyabr-2023>

²¹ <https://pravo.by/document/?guid=12551&p0=H12300251>, <https://www.lawtrend.org/freedom-of-association/sravnitelnyj-analiz-dejstvuyushhej-i-novoj-redaktsii-osnovnyh-polozhenij-zakona-o-svobode-sovesti-i-religioznyh-organizatsiyah>

²² For example, a new obligation is introduced for parties and public associations - from the day of state registration to ensure compliance with the main directions of domestic and foreign policy, the concept of national security approved by the All-Belarusian People's Assembly, and there are also established common goals and objectives for all parties, which must be



#human rights

#business and human rights

#discrimination

#human rights based approach

#international human rights enforcement mechanisms



office@belhelcom.org



www.belhelcom.org

In addition, the re-registration of political parties, in accordance with the new requirements of the Law "On Political Parties", materially eliminated legal opposition activity in Belarus in 2023²³. The campaign to liquidate CSOs continued. In total, in the period after the 2020 crisis, Belarus lost at least 1509 non-profit organizations²⁴. By the end of 2023, the number of forcibly liquidated CSOs reached 960 organizations²⁵.

Human rights defenders are subject to criminal prosecution²⁶; human rights activities can only be carried out in the country in an "underground" form. The authorities make extensive use of anti-extremism legislation to persecute dissidents, including human rights defenders. In 2023, the practice of recognizing CSOs as "extremist formations"²⁷ was significantly expanded. In particular, the Belarusian Association of Journalists (BAJ), the Human Rights Center "Viasna" and "Gomelskaya Viasna", the research structure "SIMPA", the Belarusian Students' Association, and others were recognized as such²⁸.

In addition, the practice when people who donated to solidarity funds were summoned for a conversation with the KGB increased. Those who come to such "conversations" are told about possible criminal liability for promoting extremist activity, forced to write confessions about donations to "extremist funds" and obliged to transfer large sums of money to support state institutions of social profile.²⁹

On January 1, 2023, a unified system «обращения.бел» was launched. It is now possible to submit electronic appeals to state bodies only using this system. To register, one must be identified through a

enshrined in their charters, for example, ensuring the inviolability of the constitutional order and civil accord. The new version of the Law "On Freedom of Conscience and Religious Organizations" prohibits activities of religious organizations that are directed against the sovereignty, the main directions of domestic and foreign policy of the Republic of Belarus, its constitutional order and civil accord; aimed at discrediting the Republic of Belarus, propaganda of war, social, national, religious, racial enmity, other extremist activities, humiliation of national honor and dignity, etc. For more details see: National Human Rights Index. The Right to Freedom of Association, [Expert commentary](#), 2023

²³ Of the 15 political parties that existed at the beginning of 2023, only three parties loyal to the authorities and supporting A. Lukashenka were re-registered. Of the remaining parties, 11 were liquidated by decisions of the Supreme Court, 1 - decided to liquidate. [2023 Belarus CSO Meter Country Report](#) P. 19,

²⁴ The following organizational and legal forms are taken into account: public associations, including trade unions and political parties, associations, foundations, non-governmental establishments and religious organizations. Freedom of association and the legal situation of civil society organizations. [Overview](#) for 2023. Belarus, Lawtrend, P. 6

²⁵ Freedom of association and the legal situation of civil society organizations. [Overview](#) for 2023. Belarus, Lawtrend, P. 43

²⁶ Thus, in March 2023, leaders of the authoritative human rights center "Viasna" were sentenced to long prison terms (7 -10 years in prison), including Nobel Peace Prize 2022 laureate Ales Bialiatski. In 2023, human rights activist [Nasta Loika](#) was also sentenced (7 years imprisonment in a general regime colony). Human rights defenders [Uladzimir Khilmanovich](#), [Aliaksandr Voyteshik](#) and [Uladzimir Telepun](#), and [Leonid Sudalenka](#) were also subjected to repressions.

²⁷ <https://csometer.info/updates/belarus-growing-number-csos-labelled-extremist-formations>, National Human Rights Index. The right to freedom of association: [Expert commentary](#), 2023

²⁸ <https://spring96.org/ru/news/113890>

²⁹ <https://www.lawtrend.org/yanvar-noyabr-2023>, <https://news.zerkalo.io/life/59323.html>



#human rights

#business and human rights

#discrimination

#human rights based approach

#international human rights enforcement mechanisms



office@belhelcom.org



www.belhelcom.org

cell phone number registered in Belarus³⁰. Experts noted that this mechanism reduces the opportunities for civil society participation in the discussion of programs, policies.

• Interaction with international mechanisms

In the sphere of interaction with international mechanisms, in 2023 the authorities continued to pursue a policy of refusing "undesirable" international human rights obligations and self-isolation from the international community. In particular, in 2023 it was decided to suspend participation in the European Cultural Convention.³¹

Interaction with various human rights mechanisms, as well as in 2022, was carried out selectively, when it is beneficial to the state and corresponds to the general political course of the country. Thus, in 2023, Belarus prepared a draft periodic report on the national implementation of the provisions of the Convention on the Elimination of All Forms of Discrimination against Women³². At the same time, experts noted that in 2023, the authorities were even less likely to communicate within the framework of the special procedures of the Human Rights Council.

Recommendations adopted following the consideration of periodic reports, monitoring missions, other mechanisms and procedures are not taken into account in law and practice, as confirmed by international mechanisms³³.

• Equality and non-discrimination

In 2023, the range of discriminated groups has expanded, new vulnerable groups have appeared - Belarusians from abroad, as well as citizens who have documents granting benefits and advantages in foreign countries, including the "Pole card", "green card", temporary and permanent residence permit. In this regard, the so-called "passport decree" is important. It makes it impossible for citizens of Belarus living abroad to perform a number of administrative procedures in the consulate at the place of residence, which used to be available to them. In particular, it is impossible to exchange a passport abroad (including for a child) or to prolong its validity, to issue a power of attorney for transactions

³⁰ <https://www.belta.by/society/view/v-belarusi-izmenilsja-porjadok-podachi-elektronnyh-obraschenij-542844-2023/>

³¹ <https://www.belta.by/society/view/belarus-priostanovila-uchastie-v-evropejskoj-kulturnoj-konventsii-602333-2023/>

³² <https://sdqs.by/zasedanie/doklad-o-realizaczii-belarusyu-konvenczii-o-likvidaczii-vseh-form-diskriminaczii-v-otnoshenii-zhenshhin-rassmotren-na-zasedanii-soveta-po-ustojchivomu-razvitiyu-2/>

³³ In its report of March 28, 2023, the Human Rights Committee assessed Belarus' actions to implement the recommendations it had identified under the follow-up procedure. In particular, it was required to provide information on the implementation of the Committee's recommendations on the Optional Protocol to the Covenant (on the implementation of the Committee's Views following the examination of individual communications on violations of the Covenant) and interim measures of protection, on the death penalty and on freedom of peaceful assembly. Belarus received the lowest rating for almost all recommendations. <https://belhelcom.org/be/node/1927>

with property.³⁴

Communities of Belarusians abroad were recognized as "extremist"³⁵, citizens were detained when applying for a Polish visa³⁶, the authorities closed Polish language courses³⁷ and banned advertising of work abroad³⁸. To intimidate, the authorities threaten persons who left Belarus due to political persecution with deprivation of citizenship. Thus, amendments were made to the law "On Citizenship," providing for the possibility of deprivation of citizenship in case of committing a crime of "extremist" nature³⁹. Also, amendments to the law "On Citizenship" introduced the requirement to notify state authorities about temporary or permanent residence permit, or passport of another state⁴⁰. In addition, the presence of documents of foreign states that grant the right to benefits and advantages in connection with political, religious views or nationality (covers the concept of residence permit) is an obstacle to access to public service⁴¹. The presence of such a document (e.g. a Pole card) in a relative can also be a reason for exerting pressure. Law enforcers monitor those who apply for apostille on documents and summon them for "conversations"⁴².

Pressure has increased on representatives of groups that have been discriminated against or were in a vulnerable situation before, such as political activists, human rights defenders, representatives of national minorities⁴³ (in particular, Polish minority⁴⁴), and LGBTQ+ communities. The destruction and desecration of Polish graves and memorial sites continued⁴⁵. During 2023, there were mass cases of

³⁴ <https://www.belhelcom.org/en/node/1937>, <https://rada.vision/zayavlenie-koordinatsionnogo-soveta-v-svyazi-s-besprecedentnoj-diskriminaciej-rezhimom-grazhdan-belarusi-za-rubezhom>, <https://www.dw.com/ru/ukaz-lukashenko-o-pasportah-cto-delat-belorusam-za-granicej/a-66737905>

³⁵ <https://spring96.org/ru/news/113831>

³⁶ <https://belsat.eu/ru/news/17-10-2023-belarusov-arestovvayut-vo-vremya-podachi-dokumentov-na-polskie-vizy>, <https://news.zerkalo.io/life/52296.html>

³⁷ <https://malanka.media/news/37779>

³⁸ <https://reform.by/v-belarusi-zapretjat-reklamu-raboty-i-ucheby-za-granicej>, <https://euroradio.fm/ru/kontrol-zapugivanie-i-diskriminaciya-vyshlo-issledovanie-repressiy-v-belarusi>

³⁹ <https://pravo.by/document/?guid=12551&p0=H12300242&p1=1&p5=0>

⁴⁰ <https://humanconstantia.org/poluchili-vnzh-v-drugoj-strane-proinformiruj-belarusskie-de-fakto-vlasti/>

⁴¹ Art. 28(3), Law on Public Service, for details see: National Human Rights Index. The Right to Participate in the Conduct of Public Affairs: Expert commentary, 2022, pp. 11-12

⁴² <https://malanka.media/news/30724>

⁴³ In 2023, with the [amendments](#) to the Law on Languages, teaching in national minority languages became impossible. After the changes, it is allowed to study the language and literature of a national minority language in special classes established by decision of local executive bodies agreed with the Ministry of Education, but not in national schools (which was previously possible): <https://belsat.eu/ru/news/26-07-2023-v-belarusi-otmenyaetsya-pravo-na-obuchenie-na-yazykah-natsionalnyh-menshinstv>

⁴⁴ There were reported cases of citizens being forced to write a statement refusing the Pole card when crossing the border (<https://belsat.eu/ru/news/08-07-2023-etomu-net-opravdaniya-mid-polshi-prokommentiroval-davlenie-na-vladeltsev-karty-polyaka-v-belarusi>).

⁴⁵ Unknown persons destroyed a memorial plaque at the cemetery of soldiers of the Armia Krajowa in Worziany <https://news.zerkalo.io/life/36700.html>



#human rights

#business and human rights

#discrimination

#human rights based approach

#international human rights enforcement mechanisms



office@belhelcom.org



www.belhelcom.org

ethnic profiling of Ukrainians and people of Ukrainian origin by the KGB. In addition, in 2023, we can separately note the increased pressure on relatives of political activists⁴⁶, as well as the practice of "incommunicado" detention of political prisoners, which became widespread in 2023⁴⁷. Some political prisoners are reported missing⁴⁸.

The pro-government media continued to use inappropriate language and hate speech against members of the LGBTQ+ community⁴⁹. In general, state policy is aimed at forming and reinforcing homophobic attitudes⁵⁰.

There is a movement of the state towards formalization of discrimination, departure from the formal principle of equality and legislative division of people on the basis of loyalty⁵¹. Discriminatory approaches against certain groups are being enshrined at the normative level. Experts in this regard have noted the increasing formal and de facto inequality between "right" and "wrong" citizens. Within the framework of this trend in 2023⁵² it is worth noting:

- draft amendments to the Code of Administrative Offenses, which provide for administrative liability for "propaganda of LGBT, childfree and gender reassignment"⁵³; at the same time, experts noted that there is a lack of certainty and predictability as to how the authorities will interpret these concepts;
- new rules of admission to universities and secondary specialized educational institutions, creating conditions for discrimination⁵⁴;
- additional burdens in continuation of the policy of "tax for "social parasites" - for persons not

⁴⁶ <https://belsat.eu/ru/news/27-12-2023-rezhim-ozverelo-ishhet-novye-sposoby-davleniya-na-lyudej-repressii-v-belarusi-v-2023-godu>

⁴⁷ <http://spring96.org/ru/news/111682>

⁴⁸ <https://belsat.eu/ru/news/22-11-2023-ne-tolko-babariko-statkevich-i-tihanovskij-o-mnozhestve-politzaklyuchennyh-davno-net-izvestij>, <https://charter97.org/ru/news/2023/6/18/552394/>, <https://novayagazeta.eu/articles/2024/02/13/bez-prava-perepiski>

⁴⁹ <https://j4t.info/2023/12/29/monitoring-yazyika-vrazhdyi-v-otnoshenii-lgbt-k-v-smi-belarusi-v-2023-godu/>

⁵⁰ Torture of LGBTQ+ Persons and the Regime's Homophobic Policy, [Report](#) of the International Committee to Investigate Torture in Belarus, co-authored with the Legal Initiative, P. 21

⁵¹ [Public Policy Trends](#), BHC Review P. 7

⁵² <https://www.currenttime.tv/a/kak-chinovniki-v-belarusi-prodvigayut-seksizm-i-diskriminatsiyu/32559360.html>

⁵³ Following the example of the Russian Federation, the Belarusian legislation will formally enshrine inequality in relation to LGBTQ+ persons and childfree (<https://news.zerkalo.io/life/48795.html>). The package of amendments also proposes chemical castration as a punishment for pedophilia in the Criminal Code of the Republic of Belarus, which can be seen as manipulation to increase the stigmatization of the LGBTQ+ community.

⁵⁴ One of the changes is the mandatory reference from the place of study, which applicants will have to submit to the admission commissions (the rule does not apply to foreign citizens). Based on the information requested on the reference form, it is obvious that the introduced measure is aimed at identifying persons with "correct" and "incorrect" political views [Public Policy Trends](#), BHC Review P. 21-22.

employed in the economy⁵⁵;

- new rules of allocation to surgical subresidency, directly discriminating against women⁵⁶;
- new disproportionate and discriminatory restrictions on the establishment and activities of civil society organizations⁵⁷.

In the context of protection mechanisms against discrimination, experts noted the situation of increased pressure on lawyers in 2023, up to and including criminal prosecution⁵⁸. As a result of harassment of lawyers, there is a situation where out of 118 districts of Belarus, 8 districts have no defense lawyers and 38 districts have only one defense lawyer⁵⁹. According to the experts, the practice of pressure and harassment of persons who complained of discrimination increased, and the practice of using legislative mechanisms aimed at protection from discrimination, on the contrary, to create and strengthen discrimination in society continued.

Nevertheless, the experts noted the adoption in December 2023 of progressive amendments to the Law "On Social Services"⁶⁰ (the amendments will enter into force in July 2024), for example, in terms of defining vulnerability criteria, intended to promote targeting of social assistance. At the same time, experts concluded that the new norms are unlikely to be effectively implemented in practice, given the overall negative situation with human rights in the country.

⁵⁵ This tax sought to be introduced back in 2015, but was abolished after protests in 2017 and replaced by the obligation to pay the "full cost" of utilities. From 2023, persons who have been continuously listed in the "social parasite" database for more than five years will be subject to special checks to ensure that their expenses match their income. For such persons, there are limits on the amount of money received from relatives that is not subject to tax (no more than 100 base amounts per year; approximately €1,170). For amounts above this, a fee will have to be paid.

<https://news.zerkalo.io/economics/29702.html?c>

⁵⁶ It is [reported](#) that in June 2023, the Ministry of Health issued an order stating that the number of surgical sub residency placement slots "shall be determined separately for male and female students". According to the order, the number of places for women, as opposed to male students, is disproportionately smaller (accordingly, men are taken despite lower scores), which directly discriminates against women. [Public Policy Trends](#), BHC Review. P.23

⁵⁷ See National Human Rights Index. Right to Freedom of Association: Expert commentary, 2023

⁵⁸ See National Human Rights Index. Right to a Fair Trial: Expert commentary, 2023; Persecution of lawyers in Belarus after the 2020 elections [Report](#)

⁵⁹ As of March 2023, The Advocacy Crisis [Report](#): continuing repression 2022 - 2023. P. 38

⁶⁰ <https://pravo.by/document/?guid=12551&p0=H12300318>, <https://pravo.by/novosti/obshchestvenno-politicheskie-i-v-oblasti-prava/2023/december/76287/>



#human rights

#business and human rights

#discrimination

#human rights based approach

#international human rights enforcement
mechanisms



office@belhelcom.org



www.belhelcom.org