

Belarus Human Rights Index

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2022

Right not to be subjected to torture, cruel, inhuman or degrading treatment or punishment

Expert Commentary

The score: 2.9

Including scores by component:

- Physical and mental integrity of the individual 2,4
- The prevention of torture, investigation and protection mechanisms 1,5
- Treatment of persons subjected to any form of detention or imprisonment 3,3
- Domestic violence 4,4

The State guarantees the right not to be subjected to torture or ill-treatment in Article 25 of the Constitution. Its wording states: "No one shall be subjected to torture, cruel, inhuman or degrading treatment or punishment or subjected to medical or other experimentation without their consent."¹ Legislation criminalizing torture hasn't been amended in 2022 (Criminal Code, Art. 128, Criminal Code², Art. 394). The Republic of Belarus has been a party to the International Covenant on Civil and Political Rights since 1973.³ Article 7 of the Covenant prohibits torture and other cruel, inhuman or degrading treatment or punishment.⁴ Belarus has also been a party to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment since 1987.⁵

When evaluating the right not to be subjected to torture or ill-treatment in 2022, the experts of the Index assigned lower scores compared to 2021. Their position is elaborated below.

¹ Constitution of the Republic of Belarus, Art. 25, <https://pravo.by/pravovaya-informatsiya/normativnye-dokumenty/konstitutsiya-respubliki-belarus/>

² Criminal Code of the Republic of Belarus, <https://pravo.by/document/?guid=3871&p0=hk9900275>

³ International Covenant on Civil and Political Rights, ratification status: https://treaties.un.org/Pages/ViewDetails.aspx?chapter=4&clang=_en&mtdsg_no=IV-4&src=IND

⁴ International Covenant on Civil and Political Rights, 1966, https://www.un.org/en/documents/decl_conv/conventions/pactpol.shtml

⁵ Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, ratification status: https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-9&chapter=4&clang=_en



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- **Physical and mental integrity of the individual.**

In 2022, there were no legislative changes introducing specific provisions that could criminalize acts of torture, attempted acts of torture, orders to commit such acts, or complicity in committing them. The responsibility for them remains dispersed among various articles of the Criminal Code⁶. The articles of the Code that allow for the initiation of criminal proceedings in connection with numerous reports of torture and cruel, inhuman, or degrading treatment are not effectively utilized (as detailed below).

In 2022, human rights activists noted the widespread and systemic nature of torture: HC "Viasna" recorded 227 cases of torture and ill-treatment involving 89 women and 138 men⁷. The experts note the continued use of disproportionate force during arrest, detention and imprisonment. On February 27-28, 2022 (when the referendum on constitutional changes and mass anti-war protests took place), more than 1,100 citizens were detained across the country, and at least 630 were placed in administrative detention⁸. Both apprehension and incarceration in detention facilities were accompanied by the use or threat of use of force and torture conditions⁹.

The detention of "rail guerrillas" was accompanied by the use of weapons. The "guerrillas", driven by anti-war sentiments, engaged in disabling railway infrastructure crucial for the transportation of Russian troops and military cargo. According to the Ministry of the Interior, the men tried to escape during their arrest; law enforcement officials used weapons, and one of the detainees was shot through the knee joints¹⁰. The arrest of former investigator Nikita Storozhenko was accompanied by torture¹¹. There were reports of torture accompanying the detention of Beltelecom ex-employees¹², torture and

⁶ Sixth periodic report submitted by Belarus under Article 19 of the Convention under the simplified reporting procedure, due in 2022, p. 2

(https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/SessionDetails1.aspx?SessionID=2413&Lang=en)

⁷ <https://spring96.org/en/news/110468>

⁸ The seventh interim report of the International Committee to Investigate Torture in Belarus was prepared in cooperation with the Belarusian Gayun Monitoring Group: <https://legin.info/documents/33>.

⁹ See component "Treatment of persons subjected to any form of detention or imprisonment"

¹⁰ <https://spring96.org/ru/news/110044> .

¹¹ "He was entirely blue, from the base of his spine down to nearly his heels. His legs weren't just blue; they were a deep shade of purple. There were abrasions on his face and head, and handcuff marks. Nikita said that he was kicked and beaten with batons. The officers wrapped a cloth around his head, put a trash can over it and beat on it to hide the signs of the beatings. Still, he had a gash on his nose, and a large abrasion near his ear. Apparently his nose got hit as well, judging by its redness. His lips were swollen, and there was an abrasion on his chin." According to Storozhenko's cellmates, this was his condition upon admission to the detention center. <https://spring96.org/en/news/107515>.

¹² "My husband was beaten half to death in custody. I spoke to those who saw him after his arrest, he was in a terrible state, they said. I don't even want to describe what was done to him; it's just humiliating. But I was told he was tasered, and he was losing consciousness..." <https://spring96.org/en/news/106717>.



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degrading treatment in the detention of artist and IT specialist Dmitry Podrez¹³, as well as ill-treatment of Olga Ritus and her mother¹⁴. Of the persons reported to have been tortured in 2022, two were minors and 31 were over the age of 50¹⁵.

In 2022, the Belarusian practice of "digital torture" developed, involving the recording and publicizing of 'repentant videos.' In these videos, detainees are coerced on camera¹⁶ to confess to alleged crimes and wrongful acts, often revealing personal information, including sensitive data such as marital status, income, and sexual orientation¹⁷.

Experts note the practice of extracting confessions in violation of the prohibition of torture or ill-treatment, with courts often disregarding allegations of investigative pressure¹⁸. One notable example is a statement by Dmitry Sosnovsky, one of the defendants in the Belarusian Civil Self-Defence Units case, who stated that force was used against him in order to coerce a confession of guilt. Family members of political prisoner Olga Ritus also reported that she was doused with water and beaten for refusing to testify against herself¹⁹. Dmitry Sosnovsky alleged torture during the trial. However, the prosecutor reported that an investigation had been conducted, resulting in the rejection of criminal proceedings. The court has failed to consider the torture allegation. The defendant was sentenced to 20 years in a high-security²⁰ colony.

According to experts, the general human rights situation, marked by the ideologization of state bodies

¹³"They rushed into the bathroom, seized and placed [him] in the room. Handcuffed him. A GUBOPiK officer, Vysotsky, took a plaster hand cast from the shelf, put on a condom, and said, "Let's put it in the rear passage." He placed the plaster hand near [the victim's] head. Before that, a SOBR officer kicked [the victim] in the thighs, and another one struck [him] in the face with a glove." "During the search, GUBOPiK officer Vysotsky took a painting by the artist Zakhar Kudin and cut it three times, saying, 'It will look more beautiful this way.' Then he cut up the photo pictures. Afterward, Vysotsky took an old laptop, broke it into two pieces, and struck one part against a chest of drawers, saying, "Now it definitely won't work."

<https://spring96.org/en/news/107546>.

¹⁴ <https://spring96.org/ru/news/107918>.

¹⁵ <https://spring96.org/en/news/110468>

¹⁶ "I was dealt with by the KGB — the white shirts guys. They usually give you a choice: either you talk to them, or they threaten you with more serious sanctions. I believe this is the main way of obtaining the so-called 'repentances.' GUBOPiK operates more brutally. I've talked to people who were beaten, threatened with further violence, and forced to record videos under the fear of it. <https://baj.by/be/analytics/pokayannye-video-oppozicionerov-v-belarusi-kak-siloviki-ih-delayut>.

¹⁷ See the report "Development of digital rights in Belarus: digital authoritarianism and digital resistance": <https://humanconstant.org/razvitie-cifrovyyx-prav-v-belarusi-cifrovoj-avtoritarizm-i-cifrovoe-soprotivlenie/>; <https://news.zerkalo.io/life/9011.html>; <https://t.me/ChistiMogilev/108>; https://t.me/Azarenok_CTV_Belarus/1155.

¹⁸ <https://spring96.org/ru/news/107609>

¹⁹ <https://spring96.org/ru/news/107918>

²⁰ <https://spring96.org/ru/news/110053>



and institutions, affects as well the realization of the right to physical and psychological integrity of children. For example, in 2022, schoolchildren in State institutions were increasingly forced to take part in ideological activities against their own will, as well as the wishes of their parents and, often, teachers²¹.

- **The prevention of torture, investigation and protection mechanisms**

In 2022, there was no unequivocal condemnation of torture in all its forms on the part of representatives of state bodies and pro-state journalists in the public space. Officials and pro-state media journalists, when referring to allegations of torture or ill-treatment by law enforcement officials, not only refrained from condemning these actions but also made statements that belittled the victims of such treatment²². One political observer received significant attention for advocating the use of lethal force in situations where individuals do not immediately comply with a 'hands up' order, delay in following a bag search requirement, or are found with 'any suspicious object' while being apprehended or searched. The proportionality of such measures is justified by the counterterrorism measures and security concerns²³. Public condemnation of torture and ill-treatment is reserved exclusively for actions by other states²⁴, as well as investigations into the 'genocide of the Belarusian people'²⁵. In Belarus' sixth periodic report to the Committee against Torture, when asked to provide information on measures to publicly and unequivocally condemn torture and to convey the inevitability of punishment for acts of torture in all their forms, state representatives outlined measures primarily aimed at 'preserving historical memory and justice' and implementing the provisions of Law No. 146-3 on the Genocide of the Belarusian People²⁶.

The widespread use of torture and ill-treatment during arrests and detention demonstrates a lack of de facto compliance with formal standards of conduct for law enforcement officials, including the interrogation of arrested, detained or imprisoned persons. According to experts, this is indicative not only of insufficient training of law enforcement officers but also suggests a state policy of impunity or

²¹ "At 8:30 a.m. today (the start of the first lesson), students from grades 7 to 9 were forced into the assembly hall. The pedagogical organizer ordered them to look at the flag and think about how much they love the country and the president while listening to the national anthem." (<https://news.zerkalo.io/life/22123.html>); "Once again, children need to be gathered (on a day off) on the school premises near the flagpole, hoist the flag, and perform the national anthem. They're asking everyone to come for at least half an hour. Just take photos and videos – it's important to report right away – and then you can disperse. In the village, everyone has gardens, household chores, including the teachers, but we'll have to go to school. And again, if you don't like it, quit. A vicious circle." (<https://news.zerkalo.io/life/13791.html?c>) ; <https://news.zerkalo.io/life/21180.html>; <https://news.zerkalo.io/life/13702.html>.

²² https://t.me/Azarenok_CTV_Belarus/2802.

²³ https://t.me/glav_tur/6148

²⁴ <https://t.me/housegovby/3861>, <https://t.me/ontnews/84826>, <https://t.me/ontnews/75546>.

²⁵ <https://t.me/housegovby/1041>

²⁶ https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/SessionDetails1.aspx?SessionID=2413&Lang=en, p. 4.



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even encouragement of such misconduct.

In the above-mentioned report submitted to the Committee against Torture, state representatives note the existence of legal safeguards and mechanisms for investigating complaints and the active prosecution of perpetrators of acts of torture and ill-treatment²⁷. At the same time, the summary statistics on the activities of general jurisdiction courts in administering justice for the first half of 2022 contain no information on convictions of perpetrators of crimes against peace and security²⁸ or crimes against justice^{29,30}.

The experts continue to note the lack of prompt and thorough investigations by the competent authorities into all allegations of torture³¹, as well as the absence of an effective, independent and impartial body to conduct such investigations. The judiciary is ideologized, and the law enforcement apparatus as a whole operates selectively deemed politically 'undesirable', effectively turning existing legislation into a repressive tool.

The investigation into the true causes of the death of political prisoner Vitold Ashurak has been delayed and no criminal case was initiated³² in 2022. There is no mention in either the State or independent media of the initiation of criminal proceedings for acts of torture or ill-treatment.

In 2022, neither a national preventive mechanism to prevent torture and other ill-treatment nor an independent national human rights institution in accordance with the Paris Principles was established. Consequently, the conditions required for the effective realization of the rights of torture victims to compensation and rehabilitation are lacking. In addition, the right to compensation and an effective remedy have become more difficult to realize over time due to the repression of lawyers involved in 'political' cases: the number of lawyers capable of providing quality defense under constant threat of disbarment has been declining³³ every month.

The experts note that there is still a risk of extradition to a country where persons may face the risk of

²⁷ Ibid., p. 4-6.

²⁸ Chapter 17 of the Criminal Code, under which Article 128, inter alia, provides for liability for torture.

²⁹ In particular, Article 394, coercion to testify

³⁰ https://court.gov.by/ru/justice_rb/statistics/e68fb9f933c547f0.html.

³¹ "The authorities have not investigated any deaths in connection with the repression of protests in the colony, torture and prohibited treatment." (<https://spring96.org/en/news/110126>); "Almost all of the answers known to Viasna were identical: "As a result of the investigation, no violations of the existing legislation have been identified in the actions of the employees [...]" – <https://spring96.org/en/news/110468>, p. 17; "Citizens who are victims of torture and prohibited treatment cannot obtain copies of the decisions not to initiate criminal proceedings that they are legally entitled to. The grounds for doing so are that the documents contain information constituting state secrets. In fact, the underlying reason is the concealment of evidence of torture and lack of proper investigation from the general public." – <https://spring96.org/en/news/106621>.

³² <https://spring96.org/ru/news/107754>

³³ See information on the crisis of the Belarusian Bar in 2022 (including 58 disbarred lawyers): https://www.defenders.by/2022_recap.



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torture. Due to objective obstacles preventing direct interaction between human rights defenders working on migrant rights with persons allegedly subjected to torture and/or ill-treatment, as well as the opacity of public authorities, there is virtually no information on the treatment of migrants. The humanitarian crisis that unfolded on the border between Belarus and neighboring EU member States persisted throughout 2022. In July 2022, the Special Rapporteur on the rights of migrants visited Poland and Belarus, documenting various concerning incidents, including migrants being 'pushed' into the territory between the two countries, incidents of gender-based violence by law enforcement officials of the Belarusian Temporary Logistics Centre (essentially, a de facto detention center for migrants), and poor physical conditions in the latter³⁴. Human rights organization Human Constanta also noted the lack of respect for human rights in the refugee status granting mechanism: in 2022, there were cases of unjustified refusal to accept the applications of several transit refugees, who were coerced into signing 'voluntary return' documents without a clear understanding of the documents' content and implications. The procedure itself remains complex and opaque, with no practical guarantees of accompanying interpreters and lawyers, and a presumption of mistrust of the complainants³⁵.

- **Treatment of persons subjected to any form of detention or imprisonment**

Human rights defenders are aware of numerous cases of torture and cruel, inhuman and degrading treatment inflicted on detainees and individuals deprived of their liberty³⁶. Experts note the mass use of the blocking of correspondence for prisoners as a tool of pressure after the outbreak of full-scale war in February 2022 (previously a targeted measure), which prevents regular communication with persons in detention facilities and timely information on their state of health and treatment³⁷. Detainees have been increasingly deprived of contact with their relatives and lawyers³⁸. The detention conditions do not meet international human rights standards and Belarusian law³⁹. Among numerous examples, the case of Nasta Loika is illustrative. Woman human rights defender has been detained four consecutive times without being allowed to leave, subjected to electric shocks during interrogation,

³⁴ https://humanconstant.org/wp-content/uploads/2022/08/Statement_Felipe-Gonzalez-Morales-.pdf

³⁵ <https://humanconstant.org/vpervye-za-12-let-oficialnye-vlasti-belarusi-prinimali-v-strane-specialnogo-dokladchika-oon/>

³⁶ See The Right of Persons Deprived of their Liberty to Humane Treatment (2022); for conditions of detention of persons detained for expressing anti-war positions, see the Seventh Interim Report of the International Committee for Investigation of Torture in Belarus (https://torturesbelarus2020.org/wp-content/uploads/2022/12/otchet_belaruskie-uchast%D0%B8e-v-vojne-v-ukra%D0%B8ne-rezh%D0%B8m-%D0%B8-narod-1.pdf); <https://spring96.org/en/news/110275>)

³⁷ <https://spring96.org/ru/news/111682>.

³⁸ "Relatives and lawyer didn't know where I was for two weeks" <https://spring96.org/en/news/110367> ; similar stories – <https://spring96.org/en/news/108039>; <https://spring96.org/en/news/107592>;

³⁹ on the deliberate deterioration of conditions of detention for political prisoners (including in 2022): <https://spring96.org/en/news/107187>; for a month-by-month chronicle of detentions and conditions in administrative detention in 2022, see: <https://spring96.org/en/news/110298>.



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and subjected to cold⁴⁰.

In 2022, the practice of placing prisoners in solitary confinement (its conditions are often equated with a 'legitimized torture'⁴¹) persisted, based on grounds that are inconsistent with the law. Prisoners are held in such confinement for longer periods than legally permitted⁴². The public monitoring commissions (initially established to monitor the rights of detainees and convicts), whose composition had changed due to the dismantling of civil society, failed to detect irregularities⁴³ during their visits to institutions where evidence of cruel and inhuman treatment of detainees was present⁴⁴.

According to Viasna, 74 persons with disabilities or serious illnesses⁴⁵ are held in inhumane conditions of detention. In 2022, there were repeated reports of lack of access to adequate medical care, biased medical examinations, and deaths in custody⁴⁶.

- **Domestic violence.**

Domestic violence and marital rape are still not criminalized by law.

The amendments adopted in 2022 to Act No. 122-3 of 4 January 2014 "On the Principles of Crime Prevention" are aimed at preventing domestic violence. The concepts of actions of a psychological, physical and sexual nature have been introduced, forming the basis for defining⁴⁷ domestic violence.

⁴⁰ <https://eurasia.amnesty.org/2022/11/21/pravozashhitnicza-iz-belarusi-nasta-lojko-nahoditsya-pod-chetvyortym-podryad-administrativnym-arestom-po-proizvolnym-osnovaniyam-pomogite-eto-ostanovit/>

⁴¹ <https://doctorsby.com/our-rabota/na-moih-glazah-v-kolonii-umirali-ljudi-anna-vishnjak-o-medicine-v-sizo-i-kolonii/>

⁴² In particular, political prisoner Nikita Emelianov is known to have been intermittently held in a solitary confinement: between August 2021 and May 2022, he spent a total of 233 days in a punishment cell or solitary confinement: <https://spring96.org/en/news/107938>; similar stories - <https://spring96.org/en/news/109843>; <https://mediazona.by/article/2021/10/26/furmanov>; <https://spring96.org/en/news/107187>; <https://spring96.org/en/news/106991>

⁴³ Report of the Minsk City Public Monitoring Commission under the Central Department of Justice of the Minsk City Executive Committee on its visit to the aforementioned detention facility in March 2022: <https://just-minsk.gov.by/en/departments/upravlenie-registratsii-i-litsenzirovaniya/nablyudatel'naya-komissiya/>

⁴⁴ An example of such information in 2022 regarding Detention Center No. 1 of the Department of Penitentiary Institutions of the Ministry of Internal Affairs of the Republic of Belarus for the city of Minsk and Minsk region: <https://spring96.org/en/news/109045>; <https://spring96.org/en/news/108976>.

⁴⁵ <https://spring96.org/ru/news/110363>.

⁴⁶ See Right of persons deprived of their liberty to be treated with humanity (2022); for the death of an inmate in 2022, suspected of negligence by the colony's medical staff: <https://doctorsby.com/our-rabota/pravo-na-zdorovie-ru/u-gomelskaj-pk-4-pamjorla-asudzhanaia/>; for general problems in the provision of medical care in prisons: <https://doctorsby.com/our-rabota/soedinit-penitenciaruju-medicinu-s-grazhdanskoj-nam-prishlo-pismo-ot-neravnodushnogo-belarusia/>.

⁴⁷ Article 1 of the Law defines domestic violence as intentional unlawful or immoral acts of a physical, psychological, or sexual nature committed by close relatives, former spouses, citizens with common child(ren),



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The Act broadens the range of persons against whom violence falls within the definition of 'domestic'. At the same time, it is important to note that Article 4 of the law, which regulates the principles of action in the area of crime prevention, includes principles such as "preservation of traditional family values," "respect for privacy," and "inadmissibility of considering customs, beliefs, and traditions as justification for offenses," with a "priority on preventive measures over punitive measures". The law provides for a preventive measure in the form of an official warning, which is issued to citizens who have committed acts that may harm "the rights, freedoms and legitimate interests of other citizens or lead to the commission of a crime". Other measures include a preventive record, a protective order, and a remedial program to help individuals who have committed domestic violence. A register of information on domestic violence is also planned.

Further to the provisions of the Act, the Ministry of Internal Affairs adopted Decision No. 148 of June 14 2022, titled "On the Procedure for Assessing the Risk of Domestic Violence", which provides authorized officials with instructions on actions to be taken and issues to consider when assessing the likelihood of the continuation or recurrence of domestic violence. The Council of Ministers also issued Decision No. 456 of 11 July 2022, titled "On Issues of Crime Prevention," which includes "Regulations on the Procedure for Providing Temporary Stay Places for Citizens Subject to a Protective Order".

The development of the provisions of the Law can be exemplified by the Order No. 989 issued by the Health Committee of the Minsk City Executive Committee on 22 December 2022 "On Interdepartmental Cooperation in Assisting Victims of Domestic Violence". The order establishes criteria and indicators for identifying domestic violence.

In December 2022, the Ministry of Internal Affairs reported a "positive trend" in the prevention of domestic violence following the adoption of the innovations. An overall decrease in the number of domestic homicides and cases of grievous bodily harm was also reported. At the same time, the Minister of the Interior noted the concern "... at the increase in serious and particularly severe domestic crimes against sexual freedom and integrity, the victims of which are overwhelmingly children. Moreover, the wide range of tools available to influence offenders is often underutilized."⁴⁸

Experts generally view the adopted legislative changes positively. However, they highlight the challenges in implementing these progressive provisions given the current situation of "legal default". Monitoring is also challenging due to the lack of statistical data on reported cases of domestic violence and responses to them (previously, such information was available and made it possible to monitor the dynamics, the effectiveness of the implementation of various measures to combat domestic violence). The disappearance of communication channels after the elimination of specialized NGOs, like the

or other citizens who live together and share a common household, towards each other, resulting in physical and/or mental suffering <https://pravo.by/document/?guid=12551&p0=H12200151&p1=1&p5=0>

⁴⁸ <https://www.belta.by/society/view/mvd-izmenenija-v-zakonodatelstve-pozvolili-optimizirovat-rabotu-po-preduprezhdeniju-domashnego-nasilija-537944-2022/>



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public association "Radislava" in March 2022⁴⁹, further complicates the situation. In fact, there are no non-governmental organizations left in the country providing such assistance⁵⁰. Given the overall repressive climate in the country, the ideologization of the competent authorities to whom victims of domestic violence could turn for help, the liquidation of organizations that had informed the public about the means of protection available and otherwise assisted victims, and the diminishing availability of quality legal assistance, victims of violence were reluctant to utilize even existing mechanisms. They were concerned about not attracting the attention of law enforcement authorities, who might find grounds for prosecuting the complainant if it became evident that they held opposing views⁵¹. Experts note the continued use of the 'socially at-risk' status as a tool to pressure politically active parents⁵². Furthermore, the new legislation has not affected the possibility of criminal prosecution of those responsible.

In 2022, Victoria Lavryniuk, a doctoral student in feminist and gender studies, conducted a study on the experiences of Belarusian women who either live in Belarus or have left the country after August 2022⁵³. The study highlights, among other things, the problem of underreporting of violence against women and girls.⁵⁴ According to the analysis, over 50 per cent of women in the 12 months preceding the study were concerned that they might be subjected to physical or sexual violence. Furthermore, 82.3 per cent of women expressed concern about potential violence by members of the security forces. Sixteen per cent of respondents indicated that they couldn't make independent decisions about family finances and couldn't shop without a partner⁵⁵.

- **Death penalty.**

⁴⁹ https://news.zerkalo.io/life/11070.html?utm_source=editorial_block&utm_campaign=recirculation_tut&utm_medium=read_more

⁵⁰ <https://www.svaboda.org/a/32166043.html>

⁵¹ "Tatiana Shostak was detained at the end of October, when she and other entrepreneurs were heading to the district executive committee to submit a collective appeal, seeking guidance from the authorities on how to operate under the new conditions or close their businesses. She was subsequently given a 30-day detention period due to her social media avatar, and the appeal was seized. According to Artem, she faced convictions on two administrative charges – one related to her avatar and the other linked to "some app" allegedly found on her phone. He explained that Tanya denied having any such app on her phone but was pressured to either sign the record as presented or admit to resisting, pulling off the official's badge, spitting in his face, which could lead to up to two years of imprisonment. (<https://news.zerkalo.io/life/27443.html?c>).

⁵² <https://news.zerkalo.io/life/30668.html?c>.

⁵³ https://drive.google.com/file/d/1iTwKettkaKCDwrrpUUJEqkAC8XO9IoE_7/view ; <https://www.svaboda.org/a/32166043.html>.

⁵⁴ Olga Gorbunova, an activist and former head of Radislava and the social affairs representative of the United Transitional Cabinet, has raised a similar concern: "All I've managed to get is that we have no information about the current scale of domestic violence. It's very likely that the situation is catastrophic, yet the assistance system remains stagnant as if we never existed." <https://news.zerkalo.io/economics/29674.html>

⁵⁵ However, the above-mentioned changes in the legislation on prevention do not include economic violence.



At least one execution is confirmed to have occurred in 2022. Viktor Skrundik was executed one year and a month and a half after his sentence was issued. Human rights activists and the public had long been kept in the dark about the convict's fate. Andrei Poluda⁵⁶ noted the usual secrecy⁵⁷ and challenges in monitoring such death penalty cases, making it impossible to definitively assert that no other sentences were carried out⁵⁸ in 2022. There is no available information regarding Victor Sergel, who was sentenced to death on October 25, 2019. Since the denial of his sentence change request on January 31, 2020, he could have been executed at any time.⁵⁹

In 2022, no measures were taken to establish moratorium on executions, commute death sentences to imprisonment, or consider ratifying the Second Optional Protocol to the International Covenant on Civil and Political Rights. On the contrary, there was a proposal to expand the possibility of imposing the death penalty on public servants who had committed a crime under Article 356 of the Criminal Code (treason against the State)⁶⁰.

⁵⁶ Coordinator of the campaign "Human rights defenders against the death penalty in Belarus".

⁵⁷ The "atmosphere of secrecy and arbitrariness", inhumane conditions of detention of those sentenced to death, and the relatives' inability to obtain timely information on execution dates and burial places have also been noted by the Committee against Torture, in particular in the Concluding Observations on the Fifth Periodic Report of Belarus

(<https://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6OkG1d%2FPPrICAqhKb7yhsuYIhPYu%2B7c2v1wUXnRL6yVIZOnE7ZgAhTdFsOuhXGqO%2BvCAOThxxFUcEzOWZe01%2Bz1PM%2FzTCW9EkNT7cf65iC1Rp3FPNp%2BFYROHly2cWve>) and the List of Issues prior to the submission of the Sixth Periodic Report of Belarus (https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/SessionDetails1.aspx?SessionID=2413&Lang=en).

⁵⁸ <https://dp.spring96.org/ru/news/110807>

⁵⁹ Ibid.

⁶⁰ <https://t.me/housegovby/8354>



#human rights

#business and human rights

#discrimination

#human rights based approach

#international human rights enforcement mechanisms



office@belhelcom.org



www.belhelcom.org