

National Human Rights Index

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2022

The Right to Free Expression:

Expert Commentary

The score: 1.2

Including scores by component:

- Freedom of opinion and expression 1
- Access to information 1.4

In 2022, the legal default in the state has deteriorated, directly affecting the exercise of the right to free expression. The overall atmosphere within the state, marked by a sense of insecurity, stringent regulations governing peaceful assemblies, the lack of accountability among law enforcement personnel, and a dysfunctional judicial system, resulted in a situation where, despite the formal possibility to freely express opinions (albeit with restrictions), individuals either refrained from enjoying this right or were unable to exercise it without further sanctions.

When evaluating the state of the right to free expression in 2022, Index experts assigned lower scores compared to 2021. Their position is elaborated below.

- **Freedom of opinion and expression**

In 2022, there were several legislative changes and innovations aimed at restricting freedom of opinion and expression. The Constitution was amended, with the new wording of Article 4 ¹creating the possibility of establishing the “ideology of the Belarusian State” as mandatory². Article 15 of the Constitution was supplemented by a section establishing the obligation of the state to ensure the “preservation of historical truth and memory of the heroic feats of the Belarusian people during the Great Patriotic War.” Additionally, the new wording of Article 54 establishes the duty of every citizen to preserve “the historical memory of the heroic past of the Belarusian people and patriotism.” Experts

¹ <https://pravo.by/pravovaya-informatsiya/normativnye-dokumenty/konstitutsiya-respubliki-belarus/> .

² Under the previous version of the article, democracy in the country was to be exercised on the basis of “a diversity of political institutions, ideologies, and opinions.” Currently, part two of the amended article, which prohibits the imposition of mandatory ideologies by political parties, religious or other public associations, and social groups, notably does not include the “ideology of the Belarusian State” in this list. For a more in-depth examination of these amendments, see the expert analysis: <https://baj.by/en/analytics/svoboda-slova-i-pravo-na-informaciyu-v-staroy-i-novoy-konstituciyah>



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note³that such language is inconsistent with international legal standards that guarantee everyone the right *to hold opinions without interference*.⁴

Throughout 2022, legislative changes continued to progress, narrowing the scope of not only political “permissible” opinions, but also historical ones. A law addressing the genocide of the Belarusian people was enacted⁵. The law officially asserts the fact of genocide and establishes penalties for its public denial, including arrest, restriction of liberty, or deprivation of liberty for up to five years⁶.

Changes have been adopted that adversely affect the possibility of upholding the principle of media pluralism: Decree No. 131, titled “On the Development of the Mass Media”, introduced⁷ an additional fee for advertisers and telecommunication operators, with the proceeds directed to state media as “subsidies.” Experts note that these innovations contribute to further monopolizing the Belarusian information space through state media, excluding alternative sources of information, and creating conditions under which the operation of independent media within the state jurisdiction becomes virtually impossible⁸.

In 2022, the powers of the Ministry of Information to block internet resources categorized as news aggregators by Decree No. 116, titled “On News Aggregators in the Global Computer Network Internet,” were expanded. These innovations prohibit news aggregators from distributing “resources subject to a decision to restrict access to them”⁹ and hyperlinks to them, with the threat of being blocked. Decision No. 5/14/15¹⁰, adopted on 19 September 2022, reduces the already short time available to Internet service providers to block a “prohibited” resource to just 4 hours after the resource is placed on the restricted list instead of the previous 24 hours.

In 2022, the possibilities for surveillance allowing for monitoring citizens were expanded¹¹. The adoption of Decree No. 368, titled “On the Interaction of Telecommunication Operators, Telecommunication Service Providers, and Owners of Internet Resources With Bodies Carrying Out

³ <https://baj.by/be/analytics/ideologiya-genocid-slezhka-chto-sluchilos-v-2022-godu-v-pravovom-pole>.

⁴ International Covenant on Civil and Political Rights: Art. 19, para. 1
https://www.un.org/en/documents/decl_conv/conventions/pactpol.shtml.

⁵ <https://pravo.by/document/?guid=12551&p0=H12200146&p1=1>.

⁶ Repeat offenders and officials who commit a crime with the use of official powers may face imprisonment for 3 to 10 years (Criminal Code, art. 130-2: <https://pravo.by/document/?guid=3871&p0=hk9900275>.)

⁷ <https://president.gov.by/ru/documents/ukaz-no-131-ot-31-marta-2022-g>

⁸ <https://baj.by/be/analytics/ideologiya-genocid-slezhka-chto-sluchilos-v-2022-godu-v-pravovom-pole>

⁹ <https://president.gov.by/ru/documents/ukaz-no-116-ot-22-marta-2022-g>.

¹⁰ Decision No. 5/14/15 of the Operations and Analysis Centre under the President, the Ministry of Communications and Informatization and the Ministry of Information, titled “On the Amendment of Decision No. 8/10/6 of 3 October 2018 [...]”: <https://pravo.by/document/?guid=12551&p0=T22205145&p1=1&p5=0>.

¹¹ Additionally, see Right to be protected against arbitrary or unlawful interference with private and family life (2022).



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Operational and Investigative Activities,” provided bodies conducting operational and investigative activities with a *free, 24-hour remote access* to the databases and information systems of Internet resources determined by the KGB and the OAC (the Operations and Analysis Centre under the President of the Republic of Belarus). It also obliged providers to supply information about users and the services they receive, which must be stored for a year¹². In addition to violating the right to privacy, experts note with concern a threat to the right of access to information, as this innovation grants the KGB and the OAC the ability to block the resources that refuse to connect to the system and provide data on their users¹³ to public authorities.

In December 2022, the first reading of the bill titled “On the Amendment of the Codes on Criminal Liability” was adopted, concerning Part 2 of Article 356 of the Criminal Code. This amendment envisions the possibility of applying the death penalty for treason committed by an official holding public office or a person covered by the status of a military officer. Human rights defenders have raised concerns about the ambiguity of the article’s disposition, the excessively broad definition of the terms “activity aimed at harming the national security of the Republic of Belarus” and “national security of the Republic of Belarus,” as well as the practice of prosecuting, among others, investigative journalists and activists¹⁴ under this article. The bill also establishes liability for the dissemination of knowingly false information that discredits Belarusian armed forces, other troops and military formations, and paramilitary organizations. It supplements the Criminal Code with articles entitled “Propaganda of terrorism” and “Violation of requirements for the protection of State secrets”¹⁵.

Thus, according to the experts, the restrictions imposed on the right to freedom of expression in 2022 no longer align with the permissible grounds for such restrictions and do not meet the requirements of necessity and proportionality. Legislation to protect media freedom, including the rights of journalists, as noted above, is used exclusively to support pro-state media and journalists.

In 2022, experts’ scores as to law enforcement aspects were lowered. Intimidation and stigmatization of persons expressing a dissenting opinion (or those perceived to have such opinions¹⁶) continues. Following Russia’s full-scale invasion of Ukraine, administrative and criminal prosecution of individuals holding and expressing anti-war positions¹⁷ began in Belarus. Experts emphasize the ambivalence of

¹² <https://pravo.by/document/?guid=12551&p0=P32200368&p1=1&p5=0>.

¹³ <https://baj.by/be/analytics/ideologiya-genocid-slezhka-cho-sluchilos-v-2022-godu-v-pravovom-pole>.

¹⁴ <https://spring96.org/en/news/106602>; <https://humanconstant.org/obzor-borby-s-ekstremizmom-v-belarusi-za-oktyabr-dekabr-2022/>.

¹⁵ <https://www.belta.by/society/view/deputaty-prinjali-v-pervom-chtenii-zakonoproekt-po-voprosam-ugolovnoj-otvetstvennosti-538814-2022/>.

¹⁶ <https://www.sb.by/articles/chas-politinformatsii.html>.

¹⁷ <https://spring96.org/news/110468>; <https://torturesbelarus2020.org/belaruskoe-uchast%D0%B8e-v-vojne-v-ukra%D0%B8ne-rezh%D0%B8m-%D0%B8-narod/>.



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the situation: while there are calls from officials for peace and an end to the conflict¹⁸, the same expressions voiced by the ordinary individuals may lead to accountability.

In 2022, the practice of restricting freedom of expression continued as part of the 2021 legislative changes aimed at combating "extremism". The list of "extremist materials"¹⁹ (as of 1 January 2023, containing 2,849 resources²⁰) continues to be expanded with resources belonging to independent media, activists and bloggers. In 2022, independent Russian and Ukrainian media that published information about the war in Ukraine, Patreon accounts, Telegram stickers, Alhierd Bacharevič's book "Dogs of Europe", "A Short Course in the History of Belarus" by Anatoly Taras, resources of human rights organizations (including all kinds of mentions of the human rights center "Viasna," also on the Front Line Defenders website), email newsletters, podcasts, Telegram chats of Belarusian diasporas, and Ukrainian patriotic songs were added²¹ to the list for the first time.²² In August, it became known²³ that books by Nobel laureate Svetlana Alexievich have been inspected for "extremism". The list of "extremist formations"²⁴ continues to be expanded with channels and chats created for local self-organization, as well as resources of independent media (Nasha Niva, Flagshtock). In line with the tendency established in 2021, subscription to an "extremist material" and its distribution, including reposts in private correspondence, are subject to administrative liability.²⁵ The practice of prosecuting individuals even for reposts that had been made before the post in question was recognized extremist, as well as for "possession of extremist material with the intention of disseminating it", persists²⁶.

In 2022, there was an expansion of the scope of Articles 361-1 ("Creation of extremist formation or participation in it") and 361-4 ("Assistance of extremist activities") of the Criminal Code: now individuals are persecuted not only for administering opposition resources and membership in them, but also for any interaction²⁷ with such resources, including registration in Telegram bots. These articles continue to be actively used to prosecute individuals registered with the "Peramoga" mobilization plan Telegram bot²⁸, as well as individuals communicating information to independent media (recognized as "extremist formations"). Thus, the transmission of information on the movement of Russian troops

¹⁸<https://www.interfax.ru/world/887944>; https://www.belta.by/president/view/lukashenko-ochnites-davajte-dogovarivatsja-tolko-mir-550612-2023/?utm_source=belta&utm_medium=news&utm_campaign=accent.

¹⁹ <http://www.mininform.gov.by/documents/respublikanskiy-spisok-ekstremistskikh-materialov/>.

²⁰ <https://humanconstant.org/obzor-borby-s-ekstremizmom-v-belarusi-za-oktyabr-dekabr-2022/>.

²¹ <https://humanconstant.org/obzor-borby-s-ekstremizmom-v-belarusi-za-iyul-sentyabr-2022/>;

²² <https://humanconstant.org/obzor-borby-s-ekstremizmom-v-belarusi-za-oktyabr-dekabr-2022/#21>

²³ <https://baj.by/be/content/knigi-svetlany-aleksievich-proveryayut-na-ekstremizm-ona-mozhet-stat-pervoy-nobelevskoy>.

²⁴ <https://www.mvd.gov.by/ru/news/8642>.

²⁵ https://t.me/centr_ez/1008.

²⁶ <https://humanconstant.org/obzor-borby-s-ekstremizmom-v-belarusi-za-iyul-sentyabr-2022/>.

²⁷ https://t.me/centr_ez/1169.

²⁸ <https://www.sb.by/articles/na-strazhe-spokoystviya.html>.



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within Belarus is interpreted²⁹ by law enforcement officials as “aiding extremism”: in July–September 2022, there were³⁰ 14 such convictions, including a three-year prison sentence for a minor³¹ for sending a video demonstrating the movement of Russian equipment.

In 2022, the practice of detaining individuals for “assisting extremism” through comments and interviews with independent resources recognized as “extremist” emerged. In July, military-political commentator Yahor Lebiadok was detained (according to pro-state sources³², the reason for his detention were expert videos in which Yahor “criticized our society and the state for a small fee from extremist organizations”). In October, Darya Losik was detained, with her interview with Belsat cited as the reason for her detention³³. It later came to light that attorney Aliaksandr Danilevich, who was detained in May 2022, was charged with “assisting extremist activities” among other offenses, based on an interview with the leading Belarusian sports publication, Tribuna.com³⁴.

In August 2022, the Ministry of Internal Affairs reported³⁵ the recognition of 58 groups of citizens as “extremist formations,” 448 individuals as “involved in extremist activities,” and 372 Internet resources as “extremist materials.” They also reported “500,000 subscriptions cancelled for the main destructive Telegram channels.” Penalties for subscribing to opposition resources and distributing their materials have indeed ceased to be isolated incidents, and have become a part of ongoing repressive practices. Only in the period from October to December 2022, 98 arrests were reported for disseminating “extremist materials,” including through reposting “banned” publications, sending them in private messages, and sharing them in group chats. Additionally, 22 individuals were detained for subscribing to “extremist” Telegram channels and commenting on them. Human rights defenders note³⁶ that since virtually all independent information resources are considered “extremist”, sharing material *from nearly any independent source* can be considered an offense.

²⁹ https://t.me/centr_ez/1169.

³⁰ <https://humanconstant.org/obzor-borby-s-ekstremizmom-v-belarusi-za-iyul-sentyabr-2022/>.

³¹ <https://humanconstant.org/obzor-borby-s-ekstremizmom-v-belarusi-za-iyul-sentyabr-2022/#:~:text=%D0%93%D0%BE%D0%BC%D0%B5%D0%BB%D1%8C%D1%81%D0%BA%D0%B1%D0%BB%D0%B9%20%D1%81%D0%82%D0%BD0%BB%D0%BE%D0%B9%20%D1%81%D1%83%D0%B4-%D0%BF%D1%80%D0%B8%D0%B3%D0%BE%D0%B5%D1%81%D0%BE%D0%B2%D0%B5%D1%80%D1%88%D0%B5%D0%BD0%BD0%D0%BD0%BD0%BD0%B5%D0%B3%D0%BE%20%D0%BC%D0%B5%D1%81%D1%82%D0%BD0%D0%BD0%BD0%BE%BE%D0%B6%D0%B8%D1%82%D0%B5%D0%BB%D1%8E>.

³² https://t.me/centr_ez/578.

³³ <https://t.me/svodo4ki/298>.

³⁴ <https://www.defenders.by/news/tpost/4z2873ah31-v-pyatnitsu-nachalsya-sud-nad-advokatom>.

³⁵ <https://www.sb.by/articles/na-strazhe-spokoystviya.html>.

³⁶ <https://humanconstant.org/obzor-borby-s-ekstremizmom-v-belarusi-za-oktyabr-dekabr-2022/#21>.



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Critical statements in any form may lead to prosecution under various articles of the Criminal Code, including insult to the President³⁷, a representative of the authorities³⁸, or a judge³⁹, defamation⁴⁰, calls for sanctions⁴¹ and “other actions aimed at harming national security”⁴², and defamation of the Republic of Belarus⁴³. The latter article encompasses criticism of the economic⁴⁴ or other policies of State bodies, including human rights-related ones. In 2022, Article 130 of the Criminal Code, titled “Incitement to racial, ethnic, religious, or other social enmity or discord,” was widely used. The maximum penalty under this article is imprisonment for 12 years, and human rights defenders are aware of 291 individuals involved in criminal cases under it⁴⁵. Individuals were prosecuted for making critical comments about Belarusian and Russian law enforcement officers⁴⁶ and military personnel⁴⁷, as well as for expressing positive views about individuals resisting law enforcement agencies⁴⁸. For example, Nasta Loika, a human rights defender, was initially detained for an interview with Euroradio (which is qualified as “promoting extremist activities”) and later charged with inciting hostility against law enforcement agencies, as one of Nasta’s human rights reports negatively assessed illegal actions by police officers. Human rights defenders note that such interpretation of the offence of incitement to hostility does not meet international legal standards. In addition, Nasta’s case is just one of many examples of the use of violence against human rights defenders, journalists and other specially protected groups. During interrogation, she was subjected to electric shocks. She was also reportedly subjected to cold⁴⁹ torture.

Experts also note the continued practice of coercing individuals into expressing pro-State views and the use of violence against detainees for expressing their opinions. There is an increasing practice of recording and publishing videos of detainees in administrative or criminal proceedings, in which they

³⁷ <https://spring96.org/ru/news/108915>.

³⁸ <https://spring96.org/ru/news/108080>.

³⁹ <https://spring96.org/be/news/108678>.

⁴⁰ <https://mediazona.by/news/2022/07/27/paretsky>.

⁴¹ <https://t.me/MAYDAYMog/2790>.

⁴² <https://www.defenders.by/news/tpost/jtrtmbha61-stalo-izvestno-v-chem-obvinyayut-advokat>.

⁴³ <https://spring96.org/be/news/108932>.

⁴⁴ <https://spring96.org/be/news/108503>.

⁴⁵ Human Rights Situation in Belarus in 2022. Analytical Review, p. 9: <https://spring96.org/en/news/110509>.

⁴⁶ <https://spring96.org/be/news/108584>.

⁴⁷ <https://www.prokuratura.gov.by/media/novosti/nadzor-za-resheniyami-po-ugolovnym-i-grazhdanskim-delam/prokuratura-goroda-minska-3-goda-lisheniya-svobody-za-razzhiganie-sotsialnoy-vrazhdy-i-rozni-blokiro/>.

⁴⁸ Only within the “Zeltsar case”, 26 convictions for negative online comments were reported between October and December 2022.

⁴⁹ <https://eurasia.amnesty.org/2022/11/21/pravozashhitnicza-iz-belarusi-nasta-lojko-nahoditsya-pod-chetvorytym-podryad-administrativnym-arestom-po-proizvolnym-osnovaniyam-pomogite-eto-ostanovit/>.



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report changing their position⁵⁰ on socio-political issues. Human rights defenders report⁵¹ that the recording of such videos may have been preceded by threats or violence. Moreover, pro-government resources openly encouraged⁵² self-censorship.

In spite of all the above, experts emphasize the continued shaping of a hostile narrative on the part of pro-state journalists and activists. Threats⁵³ and hate speech⁵⁴ are still used against those deemed to be “disloyal”⁵⁵. Repression and intimidation in respect of journalists and human rights defenders continue, even though many of them have left the country. The persecution of Nasta Loika, mentioned earlier, illustrates this. An article in the pro-state media outlet “Belarus Today” describes the legitimate activities of the human rights organization Human Constanta in a contemptuous and hostile tone. It reveals the personal data of the organization’s members, details of their correspondence, links to Nasta’s “repentant” video, and labels the actions of human rights defenders as illegal before the court verdict is issued. Pressure is also exerted through children, such as the case of the son of journalist Larisa Shchiryakova, who was detained for “discrediting the Republic of Belarus” and was sent to a socio-educational center in the Gomel district⁵⁶.

The experts also note the lack of direct and prompt contact with the detainees, which makes it difficult to stay fully informed about their conditions and the pressures they face. Released in September 2022, Radio Liberty journalist Aleh Hruzdilovich, one of the many prisoners tortured⁵⁷, heard “*What, a*

⁵⁰ https://t.me/centr_ez/199.

⁵¹ <https://baj.by/be/analytics/pokayannye-video-oppozicionerov-v-belarusi-kak-siloviki-ih-delayut>.

⁵² https://t.me/centr_ez/850.

⁵³ “Neither Belarusian civil society nor law enforcement agencies will tolerate such individuals” – SB on “bastards” [Belarusians who hung white-red-white and Ukrainian flags at the Minsk high-rise building]: <https://www.sb.by/articles/s-natury-1321.html>; “GUBOPiK will not tolerate cocky fascist scum on its soil...” <https://news.zerkalo.io/cellar/29236.html>; “Why does Severinets tap on her keyboard and post on Facebook instead of writing letters from prison? There are more than enough grounds for that.”

<https://www.sb.by/articles/veselye-kartinki-mukovoz.html>; “I have a list. I’ve never hidden it, and I’ve published it as I add to it. You were even proud to get there. Some individuals have already answered before the law. Like Bernstein did. You might wonder why. Let me remind you: I come from a street background, and people there beat you in your face..” <https://www.sb.by/articles/kouchi-i-layfkhaki.html>.

⁵⁴ <https://mediaiq.info/yazyk-vrazhdy-cto-obshchego-u-voyny-v-u>

⁵⁵ Gradually, those “disloyal” who left the country are being referred to as “fugitives”:

<https://mediaiq.info/zhenshchiny-s-detmi-begut-v-belarus-bandery-na-leksusah-v-evropu-be>

⁵⁶ <https://news.zerkalo.io/life/27796.html>.

⁵⁷ “As they led me down the stairs, I felt blows from behind – perhaps three or four strong hits, right on my neck, and then on the back of my head. It was like someone fired a round. I wanted to turn around, and I managed to protest: “What are you doing?!” Once again, I was struck in the neck, and I nearly tumbled down the stairs. “And he dares to smile,” a voice hissed from behind. The final blow was a slap on my back as we entered the detention center. They struck me as the door swung open right in front of me, and it was so forceful that I literally went headfirst into the wall on the opposite side of the entrance.”



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journalist? Radio Liberty? Who did you bring me? Attorneys and journalists are the worst people...⁵⁸ from a prison officer.

Effective and impartial investigations into the arbitrary arrest and harassment of human rights defenders, journalists and bloggers remain lacking. The experts note that access to quality legal aid steadily declines due to the widespread repression of attorneys⁵⁹.

- **Access to information**

In 2022, legal and practical restrictions on public access to information continued. Amendments and additions were made to the Law of 18 July 2011, No. 300-3, "On the Petitions of Citizens and Legal Entities," which introduced ⁶⁰ an additional ground for restricting citizens' right to apply to state bodies. The previous version of the article restricted this right based on considerations of the protection of the rights, freedoms and/or legitimate interests of others. Now, under Article 3, para. 3, this right can be restricted on the grounds of threats to national security, the interests of society and the State, or obstructing the lawful activities of organizations. As additional grounds for refusing an in-person appointment or making an appointment, Article 6, para. 2, now provides for (a) audio-video recording, filming and photography by the applicant without the consent of the official (if the applicant refuses to stop the filming)⁶¹, and (b) failure to produce an identity document. The new version of the law also provides for the creation of a unified national information system for recording and processing communications from citizens and legal entities, which experts evaluate ambivalently. In the absence of data as to the practical functioning of these innovations, it is difficult to predict their impact on the right of access to information. Hypothetically, on the one hand, the possibility of electronic reporting facilitates access to information for persons abroad⁶², but, on the other hand, the need to register with the system and hand over personal data in an existing repressive environment may deter the exercise of this right.

In addition to the widespread restrictions on access to information through the arbitrary designation of resources and organizations providing information as "extremist" (accompanied by a lack⁶³ of information about the reasons for such designation), prohibitions of the disclosure of investigative data and closed court proceedings remain common practice. According to human rights defenders, ⁶⁴ this disrupts the balance and equality of arms, denying the public access to crucial information about abuses

<https://news.zerkalo.io/life/39597.html?c>

⁵⁸ Ibid.

⁵⁹ https://www.defenders.by/2022_recap.

⁶⁰ <https://pravo.by/document/?guid=12551&p0=H12200176&p1=1>.

⁶¹ On similar grounds, Article 15, paragraph 2, of the Law currently allows oral appeals to be dismissed.

⁶² Furthermore, the system's website allows only users with valid Belarusian phone numbers to register, automatically limiting the circle of persons able to use the service: <https://xn--80abnmycp7evc.xn--90ais/>.

⁶³ <https://baj.by/be/content/zayavlenie-belarusskih-pravozashchitnyh-organizaciy-v-svyazi-s-priznaniem-bazh>

⁶⁴ <https://spring96.org/ru/news/106322>



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by the authorities. The situation is exacerbated⁶⁵ by the general repression of human rights defenders, journalists and volunteers, making it impossible to collect information that the State does not provide on its own.

Experts note the selective, formalistic and demonstrative⁶⁶ nature of public discussions. Examples of "public discussion" regarding amendments and additions to the Constitution and the bill on the All Belarusian People's Assembly are quite illustrative. Belarusian human rights defenders⁶⁷, the EU High Representative for Foreign Affairs and Security Policy⁶⁸, the Venice Commission⁶⁹ noted the atmosphere of full-scale repression and lack of opportunities for a nationwide, inclusive, and effective dialogue that takes into account critical views. Many projects of public importance were not discussed at all⁷⁰, which is particularly concerning, given the high rate of adoption of normative legal acts⁷¹. Experts note that in 2022 an increasing number of normative legal acts were published under the label "for official use only", in some cases concealing from the public a third of the whole content of the adopted acts⁷².

In 2022, the area of official statistics available to the public continued to shrink, while independent statistical research and the publication of its results are still not allowed. Experts note that the National Statistics Committee is becoming increasingly closed, with no longer published⁷³ information on life expectancy, the number of retirees, migration, underemployment, forced leave and downtime, and data⁷⁴ on external debt and budget performance, which are usually published according to the IMF data dissemination standard.

Other government bodies have also continued to withhold information⁷⁵. For instance, the National Bank stopped publishing the results of surveys of enterprises in the real economy and inflation expectations of the population in March 2022. The Ministry of Health does not publish data from health

⁶⁵ <https://spring96.org/ru/news/110468>

⁶⁶ Discussion on amendments and additions to the Constitution: <https://news.zerkalo.io/life/9562.html>; <https://news.zerkalo.io/life/8974.html>; discussion on the draft GNH: <https://news.zerkalo.io/life/24965.html>; the outcome of the discussion provided by the House of Representatives reflects only the approximate subject areas of the proposals: <https://pravo.by/novosti/novosti-pravo-by/2022/november/72164/>.

⁶⁷ <https://spring96.org/ru/news/106523>.

⁶⁸ <https://news.zerkalo.io/economics/10621.html>.

⁶⁹ <https://news.zerkalo.io/economics/10427.html>.

⁷⁰ These include changes to the Law on Conscription which, if adopted, will remove the deferral of service for Belarusians studying abroad: <https://news.zerkalo.io/life/28119.html?c>.

⁷¹ <https://news.zerkalo.io/economics/28792.html>; <https://news.zerkalo.io/economics/22366.html>.

⁷² <https://news.zerkalo.io/economics/10863.html>; <https://news.zerkalo.io/economics/25184.html>; <https://news.zerkalo.io/economics/23666.html>; <https://news.zerkalo.io/economics/16172.html>; <https://news.zerkalo.io/economics/13260.html>.

⁷³ <https://news.zerkalo.io/economics/16161.html>

⁷⁴ <https://news.zerkalo.io/economics/21225.html>

⁷⁵ <https://news.zerkalo.io/economics/16161.html?c>



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compendiums, and the statistics on the incidence of coronavirus have not been updated since July 2022⁷⁶. The State Customs Committee still does not update customs statistics on foreign trade. Experts have highlighted⁷⁷ the risks associated with these measures, as they lead to a decrease in the understanding of what is happening among business representatives, analysts, and even government officials. This lack of available and quality statistics, combined with the repression of civil society, hinders the monitoring and evaluation of the effectiveness of government measures and policies⁷⁸. In 2022, there was still no⁷⁹ separate law on access to public information, and access to legal regulations remained limited to Internet access and paid subscriptions to legal resource. At the same time, access to the websites of certain public authorities from abroad is being blocked.

In 2022, legislation on the protection of state and other secrets continued to be exploited as an additional repressive tool, with its potential uses only expanding (see above on the adoption in first reading of the bill "On the Amendment of Codes on Criminal Liability", introducing the possibility of the death penalty for treason). In just the span of October to December 2022, employees of the BelaPAN news agency were sentenced to imprisonment, some of them for "treason against the state" due to their collaboration with the Belarusian Solidarity Fund. A criminal case was also initiated against Andrei Kobel, the chief doctor of "Belarus" sanatoriums in Lithuania and Russia, for "collecting data on Belarusians who vacationed in sanatoriums" and "collecting information on Lukashenko's residence in Sochi." The experts emphasize the lack of complete information on the number of persons prosecuted on this ground, especially public officials, and the inability to draw conclusions on the true scale of the repression.

⁷⁶ <https://stopcovid.belta.by/>.

⁷⁷ <https://news.zerkalo.io/economics/16161.html?c>

⁷⁸ For an example, see Prohibition on torture and cruel, inhuman or degrading treatment or punishment (2022), the domestic violence component.

⁷⁹ Moreover, judging by the Ministry of Foreign Affairs' second Voluntary National Review on the Implementation of Sustainable Development Goals, there are no plans to adopt additional acts to guarantee citizens' access to information. <https://baj.by/en/analytics/dostup-obshchestvennosti-k-informacii-i-cur>



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