BELARUSIAN HELSINKI COMMITTEE

Systemic political discrimination in Belarus: key findings for asylum and migration decision-makers

This note summarises findings from the BHC report on systemic political discrimination in Belarus that are relevant to the work of asylum and migration decision-makers: the nature of political repression in the country and the characteristic features of the system that carries it out. These findings may inform risk assessments in individual cases, which fall outside the scope of this note.

General framework. The report qualifies the situation as **systemic political discrimination**: since 2020 the state has pursued a deliberate policy of suppressing dissent by curtailing the rights of those it regards as dissenters, through legislation, selective enforcement and dedicated institutions. What is taking place is a state policy rather than a series of isolated violations. It is entrenched in law, reproduced in everyday practice, extends to virtually every sphere of public life (no human right is left unaffected) and sustains itself through the state's own efforts.

Key points

- **Persecution is not confined to the politically active persons.**

  Political persecution reaches well beyond politically active persons and increasingly affects even those with no documented history of activism. It is therefore important to take account of an individual's circumstances, including those parts of their background that the state may read as evidence of disloyalty. The state singles out individuals through an informal and constantly expanding system of "signals" of unreliability, such as residence abroad, a subscription to an opposition resource, publications in independent media or solidarity with the repressed. A person's own views may also be of secondary importance, since the state frequently imputes them on the basis of such markers.

- **Some grounds for criminal prosecution are not apparent from the outside.**

  The Belarusian situation calls for attention not only to documented indications of an intention to prosecute a person, which may be absent, but also to grounds that make prosecution on return all but certain and that may be hard to recognise from the standpoint of a legal system governed by the rule of law. Volunteering for a human rights organisation, if already known to the state, is one example: given "anti-extremism" legislation, arbitrary enforcement and courts fully controlled by the authorities (see Section 6 of the report), it is readily classified as "assisting extremist activity", punishable by up to six years' imprisonment. Another example is the designation of the European Humanities University, based in Lithuania, as an "extremist organisation", which exposed students, their parents, teachers and anyone connected with it to the risk of prosecution (an instance of what the report calls "collateral repression").

- **A decline in available data is not evidence of improvement.**

  The system is highly latent: statistics are withheld, and data on repression is increasingly scarce, so a fall in what is reported cannot be taken as normalisation (see the Viasna Human Rights Centre report "Hidden Repression in Belarus 2020-2026"). Moreover, due to the systemic nature of political discrimination, normalisation would require considerably more than a reduction in the number of political prisoners.

Key international assessments. Deprivation of fundamental rights on discriminatory grounds is a crime against humanity where it forms part of a widespread or systematic attack on a civilian population. The UN Group of Independent Experts has found such an attack in Belarus since May 2020 (see A/HRC/49/71, para. 86; A/HRC/52/68, para. 54; A/HRC/55/61, para. 52). In March 2026 the Prosecutor of the International Criminal Court concluded the preliminary examination of the situation in Lithuania/Belarus and opened an investigation, finding a reasonable basis to believe that crimes against humanity are being committed against "actual or perceived opponents of the Government". The UN Group of Independent Experts also established the close cooperation and coordination among State institutions enabling the Government to systematically repress fundamental human rights and freedoms in Belarus (A/HRC/63/CRP.1).

⚠ Belarusian authorities have designated Belarusian Helsinki Committee as a so-called "extremist formation" (KGB decision No. 4/41-72, 31 March 2026).

Seeking assistance, participation in events, donations, subscribing to, storing, or sharing the organisation's materials may create risks for people who are in Belarus or planning to travel to the country.

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