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# HUMAN RIGHTS IN BELARUS: THE MAIN TRENDS OF PUBLIC POLICY

GENERAL MEASURES | LAW ENFORCEMENT PRACTICE | KEY REACTIONS  
OF INTERNATIONAL STRUCTURES



At the Belarusian Helsinki Committee, we strive to maintain a healthy work-life balance — but under our circumstances, that is often unrealistic. Inevitably, work follows us home, and our families become closely acquainted with the human rights situation in Belarus.

Since everyone is already immersed in this context, we invited our children to draw their associations with the words *freedom* and *prohibition*. These drawings became the covers of our 2025 trend reviews.

This cover features a drawing by N, age 9.

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# INTRODUCTION

The human rights situation in Belarus remains the subject of monitoring and analysis by both Belarusian and international NGOs and international organisations. Since 2012, the mandate of the [Special Rapporteur](#) on the situation of human rights in Belarus has been in place. Civil society's alternative reports to treaty bodies overseeing the implementation of the core UN human rights conventions, as well as in the [reports](#) of these bodies themselves, also provide reviews. In response to the unjustified use of force, torture against peaceful protesters contesting the 2020 rigged elections, and the subsequent repressions, a special [Mandate on the human rights situation in Belarus](#) was established under the auspices of the OHCHR in March 2021. In 2024, it was [changed](#) to a group of independent experts, which means more autonomy and independence for this mechanism.

Since 2019, the Belarusian Helsinki Committee has been calculating [the Belarus Human Rights Index](#), within which more than 40 Belarusian experts assess changes in each specific human right. Belarusian NGOs regularly conduct targeted human rights situation monitoring based on their areas of expertise.<sup>1</sup>

The events of 2020, followed by the war in Ukraine and Belarus' complicity in Russia's aggression, have significantly altered the situation in the country, including its policies and practices in the realm of human rights. The situation is continually deteriorating, with daily updates on legislative changes, government initiatives,<sup>2</sup> specific violations, etc. Amidst this influx of information, **maintaining focus** and distinguishing between essential and minor aspects **becomes challenging**.

To ensure that significant events are not overlooked and to gain a better understanding of the situation in Belarus regarding the rule of law and human rights, we track **the most significant and qualitative changes in the main trends of state policy in the field of human rights**.

For this purpose, since July 2023, the Belarusian Helsinki Committee has been issuing a periodic review. Its aim is to present our expert assessments of **the most significant and qualitative changes in the trends of Belarusian state policy** in the field of human rights and the international community's reactions to it over the reporting period in three areas:

- *general measures*: systemic issues – legislation, strategies, and policies that generally shape the conditions and prerequisites for the fulfilment of human rights in the country;

<sup>1</sup> See, in particular, *Analytical reviews of the situation with human rights prepared by Human Rights Center «Viasna»*: <https://spring96.org/ru/publications>;

*Monitoring the situation of freedom of association and civil society organizations in the Republic of Belarus* by Lawtrend: <https://www.lawtrend.org/english>;

*Electronic bulletins of mass media in Belarus* by the Belarusian Association of Journalists: [https://baj.media/en/aglyady\\_category/baj-monitors/](https://baj.media/en/aglyady_category/baj-monitors/) and others.

<sup>2</sup> We consider the current authorities in Belarus as the *de facto* authorities.

- *law enforcement practices*: trends in violations of civil and political, social, economic and cultural rights;
- *key decisions and reactions of international institutions* related to the human rights situation in Belarus.

Our analytics will contribute to a better understanding of human rights trends in Belarus, aid international partners in navigating the Belarusian agenda, facilitate monitoring of systemic and qualitative changes in the situation, expand the human rights focus of analytics in related areas (political, economic, social, etc.), and serve as a useful resource for developing strategies and positions.

The review has been published since 2023. In 2023, two issues were released (covering each half of the year). In 2024 and 2025, the review has been issued on a trimester basis (covering each four-month period). Previous issues and consolidated annual overviews are available [here](#).

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## SUMMARY

- Since 2023, we have *observed* a growing trend of repressive pressure on individuals based on the mere existence of a legal link with a foreign state (foreign citizenship or a residence permit), and the gradual crystallisation of this factor into an independent ground for discrimination. At the end of 2025, this trend found yet another expression.

**Firstly**, a draft law (currently at the proposal stage) seeks to expand the categories of Belarusian citizens subject to mandatory fingerprint registration. These would include: (a) Belarusian citizens residing in Belarus who hold another citizenship or a residence permit in a foreign state; and (b) Belarusian citizens permanently residing outside the Republic of Belarus who have registered with consular authorities and formalised permanent residence abroad.

By analogy with the so-called «passport decree», it can be assumed that this measure is primarily aimed at Belarusians who have left the country for political reasons. However, as in the case of the passport decree, the measure will also inevitably affect all Belarusian citizens permanently residing abroad or holding a foreign residence permit, regardless of the reasons for their departure.

**Secondly**, the same draft law proposes to expand the scope of personal data transmitted to the state in connection with border crossings. In addition to data already provided by air and rail carriers, the draft would require the transfer of passenger data from road transport operators. This provision likewise raises concerns regarding arbitrary collection and storage of personal data and, more broadly, the expansion of surveillance over all those travelling to Western countries. Taken together with other factors (including trends in border checks), it appears likely that particular attention is being paid to individuals travelling to the main destination countries of political emigration – Poland and Lithuania – whose borders with Belarus can currently be crossed only by road transport. At the same time, the measure will in practice affect everyone crossing the border in this manner. It thus illustrates another step towards a Soviet-style «Iron Curtain» and a further turn in the direction of totalitarianism.

- The proposed changes relating to mandatory fingerprinting also exemplify the broader trajectory towards isolationism and the consolidation of a general anti-Western trend that has accompanied the policies of the Belarusian

regime since 2020, including in its treatment of foreign nationals. The range of foreign citizens subject to mandatory fingerprint registration is being significantly expanded. Among others, it now includes individuals in respect of whom border control authorities decide that fingerprinting is required in the interests of national security. Border guards are thus vested with direct powers to conduct fingerprinting.

- Formal powers of law enforcement agencies to restrict access to internet resources, telecommunications services, and internet services for both legal entities and individuals without judicial oversight have also been expanded. In practical terms, authorities are now empowered to block websites and disconnect individuals or organisations from internet and mobile communication services whenever they consider that there is «information indicating an identified violation of the law, as well as causes and conditions conducive to the commission of a crime».
- The list of professions access to which is conditioned on formal loyalty requirements continues to expand. In addition to professions already subject to such restrictions – tour guides and interpreter-guides (2023–2024), notaries and educators (2024), as well as real estate agents, insolvency administrators, and auditors (May–August 2025) – further categories of banking personnel were added between September and December 2025. These include «key officials and specialists of banks», such as senior managers and their deputies, those responsible for risk management, internal control and audit, as well as other individuals occupying, or applying for, these positions.
- The authorities have further formalised and tightened the accreditation requirements for legal entities conducting public opinion polls. A single consolidated regulatory instrument has been introduced, replacing several previously fragmented documents. Among other things, it establishes additional accreditation criteria, including the requirement that neither the owners of the property of the legal entity applying for accreditation, nor its participants or senior management, appear on lists of organisations or individuals – including individual entrepreneurs – deemed to be involved in terrorist or extremist activities.
- The functions of the armed forces and the grounds for the introduction of martial law have been expanded. First, the tasks of the armed forces in peacetime now explicitly include participation in preventing the outbreak of an internal armed conflict and, should such a conflict arise, in its resolution.

Second, the grounds for declaring martial law set out in the Law «On Martial Law» have been brought into line with the new Military Doctrine adopted in 2024, which significantly broadened the list of perceived military threats. As a result, a number of the grounds for the introduction of martial law now allow for arbitrary interpretation and application, particularly given that the definition of an «internal armed conflict» contained in the Military Doctrine does not correspond to the definition under international humanitarian law.

- Measures targeting «economically inactive individuals» have been tightened once again. Increased tariffs for housing and communal services are now applied to the entire volume of such services in apartments owned by these individuals, even where working individuals reside in the same premises (whereas previously increased tariffs applied only to such persons' share). This measure may also be viewed, indirectly, as a form of «punishment» of those who have left the country, or at least as the creation of additional obstacles for them. In this case, it additionally introduces an element of «collective responsibility» for those living with them or residing in their apartments. As a result, the measure places not only «economically inactive individuals» themselves, but also their relatives and close associates living with them, in an unequal position.
- Among the new practices identified in the period from September to December 2025, the most significant are: the forcible transfer of political prisoners released from detention to the territory of a state engaged in armed conflict (Ukraine); continuing repression against forcibly transferred individuals, including as a result of their legally uncertain status; and a further tightening of unlawful practices targeting so-called «social parasites».
- In connection with the expiry of statutes of limitation for a number of «political» offences, the authorities have taken various steps, including some that are formally lawful, such as releasing individuals from criminal liability under Article 342 of the Criminal Code and reclassifying the offence as an administrative one. However, these measures cannot be regarded as a positive trend. In parallel, in order to suspend the running of limitation periods, many individuals were placed on wanted lists, and those whose charges were reclassified were nevertheless included in «extremist» lists. These fragmented and inconsistent actions are most likely attributable to the non-linearity of the system, the absence of strategic planning even within repressive policy, resource constraints, and a significant degree of subjective decision-making.

# I. GENERAL MEASURES: LEGISLATION, STRATEGIES, POLICIES, THAT SHAPE THE CONDITIONS AND PREREQUISITES FOR THE FULFILLMENT OF HUMAN RIGHTS IN THE COUNTRY

## KEY POINTS:

- Proposals to strengthen control over individuals on the basis of a legal link with a foreign state (foreign citizenship or a residence permit);
- Further deterioration of the position of «economically inactive individuals», with restrictions also affecting relatives and close associates residing with them or in their apartments;
- Expansion of the powers of law enforcement agencies to block access to the Internet and telecommunications services;

## EXPANSION OF THE LEGALISATION OF SYSTEMIC REPRESSION

### **1. Unjustified interference with private life and discrimination, including on the grounds of cross-border movement or the existence of a legal link with a foreign state**

In November 2025, [amendments](#) to a number of laws regulating fingerprint registration, the powers of border authorities, the crossing of the state border, and the legal status of foreign nationals were adopted at first reading.

- **Significant expansion of the categories of persons subject to mandatory fingerprint registration**

Under the draft Law «On State Fingerprint Registration», first, border service bodies are to be vested with powers to conduct fingerprint registration of foreign nationals

crossing the border of the Republic of Belarus. At present, such powers in respect of different categories of persons are exercised by the internal affairs bodies, the State Forensic Examination Committee, the State Security Committee, the Presidential Security Service, and the Operational and Analytical Centre under the President of the Republic of Belarus. Second, the draft law substantially expands the range of **foreign nationals** subject to mandatory fingerprint registration. Mandatory fingerprinting would apply to:

- foreign nationals crossing the state border who are included in the List of Persons Whose Entry into the Republic of Belarus Is Prohibited or Undesirable;
- foreign nationals crossing the state border who are subject to a decision by authorised officials of the border service bodies to conduct mandatory state fingerprint registration in the interests of ensuring the national security of the Republic of Belarus;
- foreign nationals applying for a temporary residence permit in Belarus.

The draft law provides for the following **exemptions** from mandatory fingerprint registration: children under the age of 14; persons over the age of 75; citizens of the Russian Federation who do not fall within the categories of persons subject to deportation or expulsion from the Republic of Belarus and who are not included in the List of Persons Whose Entry into the Republic of Belarus Is Prohibited or Undesirable; heads of state and government of foreign states; heads and members of parliamentary, governmental, and other official delegations, as well as technical staff of such delegations; foreign nationals and members of their families arriving in Belarus upon invitations issued by certain state bodies of the Republic of Belarus; and diplomatic personnel.

**By way of comparison**, under the current version of the law, mandatory fingerprint registration applies only to foreign nationals who:

- have been deported or expelled;
- have applied for refugee status, subsidiary protection, or asylum;
- have been granted temporary protection;
- have applied for a permanent residence permit in Belarus.

Under the existing framework, the upper age threshold for exemption is set at 60 years.

The draft amendments also propose to **expand the categories of Belarusian citizens** subject to mandatory fingerprint registration. The changes envisage fingerprint registration (including in connection with the issuance or exchange of identity documents) for:

- Belarusian citizens **residing in the territory of Belarus** who hold another citizenship or a residence permit in a foreign state and who «have informed the internal affairs bodies or the diplomatic missions or consular offices of the Republic of Belarus thereof in the prescribed manner»;

The wording of the provision employs a formula that has become characteristic of post-2020 legislation as part of the repression of those who have left the country, referring to a «residence permit or other document of a foreign state granting the right to benefits or other advantages on the basis of political or religious views or national affiliation».

- Belarusian citizens **permanently residing outside the Republic of Belarus** who have registered with consular authorities as citizens who have formalised departure for permanent residence (or permanent residence status) abroad through the diplomatic missions or consular offices of the Republic of Belarus;

The draft provides for exemptions from mandatory fingerprint registration for children under the age of 14 and persons over the age of 75.

If adopted, these provisions would unjustifiably expand the state's powers to interfere with private life. With regard to foreign nationals, they enshrine an extremely broad and open-ended reference to the «interests of ensuring the national security of the Republic of Belarus», granting border authorities wide discretion in determining whether this criterion is met. In the context of the realities of the Belarusian regime, this clearly appears to constitute yet another unaccountable and non-transparent instrument for exercising control over foreign nationals, without any effective possibility of protecting one's rights in practice.

As regards citizens of the Republic of Belarus, the provision represents, in addition to the same unjustified interference with private life, a further step in the persecution of those who have left the country and are deemed disloyal. It also entails the singling out of all persons who have a legal link with a foreign state as a separate category, and the continued formalisation of discrimination on this ground – a trend

whose emergence we first identified in the [July–December 2023](#) period. As with the so-called «passport decree», the scope of the provision extends to all Belarusians holding another citizenship or a foreign residence permit, rather than being limited to those who left for political reasons.

At the same time, the draft contains a clause specifying that mandatory fingerprint registration applies to Belarusian citizens holding foreign citizenship or a residence permit only if they have «informed the internal affairs bodies or the diplomatic missions or consular offices of the Republic of Belarus thereof in the prescribed manner». This reflects the continuation of a previously introduced discriminatory obligation to provide such notification. However, the legal consequences of a failure to comply with this obligation remain unclear.

Overall, these provisions further illustrate the consolidation of a broader anti-Western trend that has accompanied the policies of the Belarusian regime since 2020, as well as a movement towards totalitarianism, marked by the intensification of personal surveillance and control over movement with respect to certain groups. At the same time, effective judicial remedies for the protection of rights are, in practice, virtually absent.

### ○ **Expansion of the scope of personal data of persons crossing the border transmitted to the state**

Amendments are also [proposed](#) to the Law «On the State Border of the Republic of Belarus». In particular, additions are envisaged to Article 45, which regulates the rights and obligations of legal entities and individual entrepreneurs engaged in the transportation of passengers across the state border. The amendments would impose an obligation on legal entities and individual entrepreneurs carrying out international **road passenger transport** to transmit, free of charge, the personal data of such passengers to the information systems of the Ministry of Transport and Communications. Under the current version of the law, this obligation applies only to air and rail passenger transport.

This provision likewise raises concerns regarding arbitrary collection and storage of personal data and, more broadly, the expansion of control over all those travelling to Western countries. Taken together with other factors (including observable trends in border checks), it appears likely that the authorities are placing particular emphasis on individuals travelling to the main destination countries of political emigration – Poland and Lithuania – whose borders with Belarus can currently be crossed exclusively by road transport. At the same time, the measure will, in practice, affect everyone crossing the border in this manner.

## **2. Restrictions on access to internet resources, telecommunications services, and internet services**

By [Regulation](#) of the Council of Ministers of the Republic of Belarus No. 476 of 2 September 2025, «On the Procedure for the Application of Restrictive Measures», two regulations were approved: one governing the procedure for restricting (and restoring) access to the internet resources of legal entities or individual entrepreneurs (in effect, regulating the right to initiate the blocking of online resources), and another governing restrictive measures for the termination, suspension, or restoration of telecommunications and internet services for individuals and legal entities (in effect, regulating the right to initiate the disconnection of subscribers from internet and telecommunications services).

The authority to initiate such measures has been granted to the Prosecutor General, the Chair of the Investigative Committee, the Chair of the State Security Committee, the Minister of Internal Affairs, or other officials authorised by them. In both cases, the grounds for submitting proposals to impose restrictions are defined broadly as «information indicating an identified violation of the law, as well as the causes and conditions conducive to the commission of a crime».

The Regulation states that these powers are based on Article 199(2) of the Criminal Procedure Code. Article 199 of the Criminal Procedure Code, in its original formulation, provides that where a body conducting criminal prosecution establishes, on the basis of inspection materials or a criminal case, violations of the law, as well as causes and conditions that contributed to the commission of a crime, it may submit a proposal to an organisation or an official requesting the adoption of measures to eliminate the identified non-compliance with the law. Such a proposal must be reviewed, with mandatory notification of the measures taken, within one month of its receipt.

Paragraph 2 of Article 199 was introduced by [recent amendments](#) to criminal legislation in February 2025. It effectively sets out the substance of the measures now regulated by Regulation No. 476. In other words, this paragraph constitutes a special provision inserted into the Criminal Procedure Code specifically to provide a formal legal basis for such restrictive actions, while the Regulation itself establishes the procedure for their implementation. At the same time, the wording of Article 199(2) contradicts the meaning and spirit of Article 199 as originally conceived, since the original provision neither envisaged the imposition of restrictive measures nor applied to individuals, being limited instead to legal entities and officials.

In both cases, individuals and legal entities may, after eliminating the alleged violations, submit a «reasoned application» for the restoration of access or services. One of the grounds for refusal is the «objective impossibility of reliably confirming the elimination of violations that served as the basis for the restriction».

These provisions further expand the legal framework enabling arbitrary actions by law enforcement bodies in the context of political persecution. They also constitute an interference with the right of access to information and an arbitrary interference with private life, particularly where telecommunications and internet services for individuals are blocked.

### **3. Expansion of bans on, and further restrictions of, access to professions affecting various professional groups**

The expansion of the list of professions access to which is conditioned on formal loyalty requirements continues. In addition to professions already subject to such restrictions – tour guides and interpreter-guides ([second half of 2023](#) and [second trimester of 2024](#)), notaries ([second trimester of 2024](#)), educators ([final trimester of 2024](#)), as well as real estate agents, insolvency administrators, and auditors ([May–August 2025](#)) – banking sector employees were added to this category in the period from September to December 2025.

[Amendments](#) were introduced to the Instruction on the Procedure for Assessing Compliance with Qualification Requirements and Business Reputation Requirements, and on Attestation and Special Attestation, conducted by the National Bank. The list of actions deemed to discredit a candidate's business reputation now includes a «standard» set of grounds: participation in mass events; dissemination of materials designated as «extremist»; and «participation in any form of activity aimed at discrediting the Republic of Belarus, state authorities, and public administration bodies».

The requirements set out in the Instruction do not apply to all banking employees, but are limited to «key officials and specialists of banks». This category includes senior managers and their deputies, persons responsible for risk management, internal control, and audit, as well as other individuals occupying key positions or applying for such positions. Under the current legislation, this category encompasses bank employees who are able to exert a significant influence on decision-making within the bank. Each bank is responsible for independently determining the list of such positions.

In addition, in December 2025, in furtherance of the new provisions of the Law «On Audit Activities», the Council of Ministers adopted [Regulation No. 696](#) «On Attestation, Confirmation of Qualifications, and Business (Professional) Reputation in the Field of Audit Activities». As a reminder, in May 2025 [amendments](#) were introduced to the Law «On Amendments to the Law of the Republic of Belarus 'On Audit Activities'», which clarified the requirement to possess an «impeccable business reputation». This requirement was expanded to include, *inter alia*, the absence of any unexpunged or unpardoned criminal convictions for a range of offences frequently used by the authorities for arbitrary politically motivated prosecution (in particular, Articles 342, 341-1, 361, 369-1, 369-2, and 369-3 of the Criminal Code). We analysed these changes, among others, in the [previous issue](#).

#### **4. Further formalisation and tightening of accreditation requirements for conducting public opinion polls**

Excessive and unjustified restrictions on the conduct of public opinion polls and the dissemination of their results, including accreditation requirements for legal entities conducting such polls, have been in place since 2002. These restrictions have been further tightened since 2020. In particular, amendments to the [Law «On Mass Media»](#) adopted in 2023 introduced a ban on the dissemination of the results of public opinion polls relating to the country's socio-political situation if such polls were conducted without obtaining accreditation.

A new [Regulation](#) of the Council of Ministers of 25 November 2025 No. 672 «On Issues of Accreditation of Legal Entities to Conduct Public Opinion Polls», together with the Regulation approved thereby on the accreditation of legal entities to conduct public opinion polls relating to republican referendums, elections, and the socio-political situation in the country, and on the dissemination of their results through mass media, internet resources, and news aggregators, *inter alia*

- replaces a number of previously fragmented legal acts regulating this area;
- introduces additional accreditation requirements, namely the absence of the owners of the property of legal entities applying for accreditation, as well as their participants and senior managers, from lists of organisations and individuals – including individual entrepreneurs – deemed to be involved in terrorist or extremist activities.

Given that anti-extremism and counter-terrorism legislation constitutes one of the authorities' key repressive instruments, this provision indirectly formalises a

requirement of loyalty to the authorities for engaging in activities related to the conduct of public opinion polls.

Moreover, taking into account that inclusion of individuals and organisations in such lists is carried out arbitrarily, on illegitimate grounds, and on a large scale, this requirement imposes additional restrictions on the exercise of professional activity – including the freedom to choose one's occupation – for a broad range of qualified individuals. In addition, the provision creates a situation in which the presence of a single co-founder falling within the exclusion criteria may jeopardise the operation of an entire legal entity.

In effect, this amounts to the encouragement of a form of «ostracism» against those deemed disloyal to the authorities – more precisely, those included in «extremist» or «terrorist» lists. Inclusion on such a list entails exclusion from social and economic life, compelling organisations to sever ties with such individuals in order to be able to continue operating.

## EXPANSION OF THE FUNCTIONS OF THE ARMED FORCES

In December 2025, a [Law «On Amendments to Laws on Issues of Military Security and Defence»](#) was adopted. It introduced amendments to three laws: the Law «On Defence», the Law «On the Armed Forces of the Republic of Belarus», and the Law «On Martial Law». From the perspective of provisions capable of affecting the exercise of human rights, the following changes are particularly noteworthy.

**First**, the tasks of the armed forces in peacetime now explicitly include participation in preventing the outbreak of an internal armed conflict and, should such a conflict arise, in its resolution.

**Second**, the provisions of the Law «On Martial Law» concerning the grounds for the introduction of martial law were amended to align them with the [new Military Doctrine](#) adopted in 2024 (analysed in the [January–April 2024 issue](#)). Under the revised framework, military threats constituting grounds for the declaration of martial law now include military dangers at the level of threats as defined in paragraphs 25, 28, and 29 of the Military Doctrine. Paragraph 25 of the Doctrine addresses internal potential dangers, which include, *inter alia*: mass evasion by citizens of the Republic of Belarus from conscription-related activities; a sharp decline in staffing levels of the Armed Forces, other troops, and military formations; uncontrolled emigration of citizens leading to a reduction in the state's

military potential; and the emergence of armed confrontation between different segments of Belarusian society on the basis of ideological or political views, or on grounds of racial, national, religious, linguistic, or other social affiliation.

It is evident that provisions relating to the suppression of internal armed confrontations constitute a direct legacy of, and continuing reaction to, the events of 2020. At the same time, a number of these provisions – including those now defined as grounds for the introduction of martial law – create significant scope for arbitrary interpretation and application. As a result, they provide a formal legal basis for deploying the armed forces to suppress protests, which under an expansive or arbitrary interpretation could be characterised as the «outbreak of an internal armed conflict». This risk is further heightened by the fact that the definition of an internal armed conflict in the Belarusian Military Doctrine does not correspond to the definition under international humanitarian law.

The Military Doctrine defines an internal armed conflict as a form of resolving intra-state contradictions through the limited use of means of armed struggle by opposing sides within the territory of a single state. Such a definition fails to draw a clear distinction between situations of internal disturbances or clashes and an internal armed conflict as such. As a result, it significantly broadens the scope for applying the provision on the involvement of the armed forces, which, unlike law enforcement bodies, are subject to far fewer constraints on the use of lethal force and are not bound to the same procedural safeguards that provide a certain degree of protection even to participants in armed disturbances.

International humanitarian law (Article 1 of Additional Protocol II to the Geneva Conventions) draws precisely this distinction, stipulating that internal armed conflicts do not include situations of internal disturbances and tensions, such as riots, isolated and sporadic acts of violence, and other acts of a similar nature.

Under international humanitarian law, an internal armed conflict exists where hostilities take place within the territory of a state between its armed forces and dissident armed forces or other organised armed groups which, under responsible command, exercise such control over a part of the state's territory as to enable them to carry out sustained and concerted military operations.

It also remains unclear what the state will interpret as «mass evasion of conscription» or as «uncontrolled migration of citizens abroad leading to a reduction in the state's military potential».

Overall, the range of situations in which the state acquires a formal legal basis to act under an emergency regime is being expanded, which will inevitably lead to an increased risk of arbitrary use of force and violations of a range of human rights.

## ADDRESSING FINANCIAL RESOURCE SHORTAGES AND HUMAN CAPITAL OUTFLOW THROUGH THE VIOLATION OF ECONOMIC AND SOCIAL RIGHTS

### **1. Further tightening of measures targeting «economically inactive» individuals.**

As of 1 October 2025, [Regulation](#) of the Council of Ministers No. 465 «On Charges in the Sphere of Housing and Communal Services» entered into force in Belarus. The Regulation amends the procedure for calculating charges for housing and communal services for citizens classified as «economically inactive» (so-called «social parasites») where they are owners of residential property. Whereas previously increased tariffs were applied only to the share of such individuals, the new rules apply increased tariffs to the entire volume of services for apartments owned by them, even where working persons reside in the same premises.

In addition to constituting a further development and aggravation of discrimination against non-working individuals in general – since the total amount payable for utilities in respect of their apartments will now increase significantly – these measures are likely to have a particularly severe impact on Belarusians who have left the country. Indirectly, the measure may be regarded as a form of «punishment» of those who have emigrated, or at least as the creation of yet another set of obstacles for them. In this case, it also entails an element of «collective responsibility» for persons residing with them or in their apartments. As a result, the measure places not only «economically inactive» individuals themselves, but also their relatives and close associates linked to them, in an unequal position.

### **2. Additional control over access to education abroad**

[Regulation](#) of the Council of Ministers No. 209 of 8 December 2025, «On the Procedure for the Selection of Candidates Sent to Receive Education in Foreign Educational Institutions under International Treaties of the Republic of Belarus», establishes the selection procedure in cases where the Ministry of Education is designated as the state authority responsible for fulfilling Belarus's obligations

under the relevant international agreement. The Regulation applies to pupils in Grade 11 and to university students.

In particular, one of the selection conditions and required elements of the application package is a written undertaking by the candidate to return to the Republic of Belarus. This undertaking must include the candidate's surname, given name, patronymic (if any), and date of birth. In the case of underage candidates, the undertaking is formalised with the written consent of one of the legal representatives (para. 5.6).

Although this regulation has a limited scope of application – it does not concern all forms of education abroad, but only studies pursued under quotas within interstate agreements on education – it nevertheless vividly illustrates the authorities' concern over the outflow of young people abroad. On the one hand, participation in such programmes effectively constitutes entering into a contractual arrangement on predetermined terms that are, in principle, mutually beneficial to the parties. Where an individual agrees to participate in such a programme, they may reasonably be expected to understand that participation entails certain conditions and limitations.

Accordingly, the requirement to return to Belarus would not, in itself, constitute a violation of rights, provided that an alternative exists – namely, the possibility of reimbursing the cost of education in lieu of return – and provided that sanctions for non-return are not excessive (such as criminal or administrative liability), nor of a repressive nature (for example, pressure exerted on relatives). In such cases, sanctions may legitimately be confined to the sphere of civil law. At present, however, the mechanism for imposing sanctions in the event of a breach of this undertaking remains unclear.

At the same time, given the rigid ideological framework, it is possible to anticipate inequality in access to such educational opportunities on grounds related to political views. In particular, the application package required for participation in the selection process includes a character reference which, *inter alia*, must reflect the candidate's «moral qualities».

Experts [note](#) that, across all fields, approximately 1,500–2,000 individuals per year are sent to study abroad under quota-based programmes, with the largest number of students being directed to the Russian Federation. At the same time, from 3,000 to 5,000 individuals enrol annually in foreign higher education institutions independently, without any state support or quotas.

## II. LAW ENFORCEMENT PRACTICE: CIVIL, POLITICAL, SOCIAL, ECONOMIC, AND CULTURAL RIGHTS

### KEY POINTS:

- Forcible transfer of political prisoners released to the territory of a state engaged in armed conflict, further aggravating their already vulnerable situation;
- Continuing repression against forcibly transferred individuals, including as a result of their legally uncertain status.

### FORCIBLE TRANSFER OF RELEASED INDIVIDUALS TO THE TERRITORY OF A STATE ENGAGED IN ARMED CONFLICT

In December 2025, another release of political prisoners took place as part of the negotiation process between the Belarusian authorities and the administration of the United States. A total of 123 individuals were released. As in previous instances, those released were forcibly removed from Belarus (some of them without identity documents) and placed in a situation of legal uncertainty. However, unlike earlier transfers, which had taken place to the territory of Lithuania, this time the individuals were transferred to Ukraine.

Given that Ukraine is a state whose entire territory is affected by an armed conflict and ongoing hostilities, individuals who were already in an extremely vulnerable situation found themselves exposed to even greater vulnerability and to a direct threat to their life and health (see the [statement](#) of the coalition of Belarusian human rights organisations regarding the forcible transfer).

## CONTINUING REPRESSION AGAINST FORCIBLY TRANSFERRED INDIVIDUALS, INCLUDING AS A RESULT OF THEIR LEGALLY UNCERTAIN STATUS

In October 2025, it [became known](#) that political prisoners who had been released and expelled from the country began receiving summonses from law enforcement bodies at their registered addresses in Belarus, requiring them to appear at police stations or other state authorities. Experts note that this practice stems from the legally unclear status of individuals who were ostensibly pardoned and then forcibly transferred abroad.

The situation in which a person released prior to the completion of their sentence is removed from the country by the authorities themselves (or with their knowledge and consent) and, consequently, no longer resides at their place of registration is not provided by law. It is evident that no additional instructions were issued within the administrative chain to regulate such cases. Under existing rules, a person released from detention is required to register for preventive supervision at their place of residence. Where this does not occur and the individual is not present, the formal conclusion reached is that they are in violation of the rules of preventive supervision and are absconding.

In January 2026 (at the time this issue was being prepared), additional information [emerged](#) indicating that this very conclusion – that the individuals had «fled» – was being communicated to relatives by law enforcement officers allegedly searching for the forcibly transferred political prisoners.

There is also information that relatives of such individuals are being visited by representatives of various law enforcement agencies under other pretexts. This practice constitutes a form of intimidation directed both at the relatives and at the forcibly transferred individuals themselves.

Taken together – including the forcible transfer itself and the absence of identity documents – this situation once again demonstrates that, despite these releases, the authorities lack any genuine intention to bring about a systemic change in repressive policy. While release may provide individuals with physical safety (a premise that is itself questionable in the case of transfer to Ukraine), they nevertheless continue to find themselves in a situation of grave rights violations and disregard for their human dignity.

## INTENSIFICATION OF PRESSURE ON «ECONOMICALLY INACTIVE INDIVIDUALS» («SOCIAL PARASITES»)

In the [May–August 2025 issue](#), we noted changes in the practice of pressure applied to individuals classified as «economically inactive» (so-called «social parasites»). Instead of letters inviting them to confirm their status or to seek assistance with employment, they began receiving notifications from the police requiring them to appear before employment commissions. These notifications resembled summonses, and in some cases were accompanied by threats of administrative liability for failure to appear.

In October, it [became known](#) that these threats had begun to be implemented in practice. There is information indicating that in one district, as of 1 April, at least six individuals who ignored police summonses related to employment matters were subjected to administrative liability under Article 24.3 of the Code of Administrative Offences («Failure to comply with a lawful order or demand of an official of a state body (organisation) in the performance of official duties by a person not subordinate to them»).

As a result, individuals who are already being unlawfully targeted – whose rights are infringed by the very existence of legislative provisions on «economically inactive» persons – continue to be further deprived of rights and marginalized. This is exacerbated by the fact that administrative liability is recorded in an individual's «character reference», and, under post-2020 legislative amendments, such records are expunged only after ten years.

## ACTIONS BY THE AUTHORITIES IN CONNECTION WITH THE EXPIRY OF STATUTES OF LIMITATION FOR CERTAIN «POLITICAL» OFFENCES

In connection with the expiry of statutes of limitation for a number of «political» offences, certain actions by the authorities have been recorded in an apparent attempt to address these issues.

In September, it [became known](#) that there had been cases (according to information from human rights defenders, at least seven individuals as of September 2025) in which persons were released from criminal liability due to the expiry of the statute of limitation (five years) under Article 342 of the Criminal Code («Organisation

and preparation of actions grossly violating public order, or active participation in them»). At the same time, prosecutions under Article 293 of the Criminal Code («Participation in mass riots»), which is subject to the same limitation period, have continued.

In October, information **emerged** about a case in which the criminal conviction of a person sentenced on politically motivated grounds under Article 342 of the Criminal Code was reclassified as an administrative offence (on the basis of Article 86 of the Criminal Code). A similar proposal was reportedly made by law enforcement bodies to another individual, on the condition that the person return to Belarus before being placed on a wanted list.

Release from liability due to the expiry of a statute of limitation is, unlike the practices described above in this section, one of the few lawful actions in respect of individuals convicted on politically motivated grounds. Reclassification of a criminal offence as an administrative one is likewise, in itself, a lawful legal mechanism. However, it cannot legitimately be made conditional upon a person's return to Belarus, nor used as a tool to induce such a return.

These sporadic cases should not be regarded as a positive trend. In parallel, and specifically in order to suspend the running of limitation periods, many individuals whose statutes of limitation were approaching expiry were placed on wanted lists. The woman whose offence was reclassified was nevertheless included in the «extremist» list.

Such fragmented actions by law enforcement bodies are most likely attributable to the non-linearity of the system and the absence of strategic planning even within repressive policy (it is unlikely that, when initiating criminal cases in 2020, the authorities considered how to deal with the expiry of limitation periods five years later). Resource constraints and a high degree of subjective decision-making may also play a role.

