“You Know How It Is”*

Systemic Political Discrimination in Belarus:
Mechanisms, Scale and Consequences

REPORT SUMMARY

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⚠ 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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This is a summary of the report “You Know How It Is*. Systemic Political Discrimination in Belarus: Mechanisms, Scale and Consequences”. Full text here.

BHC uses the concept of systemic political discrimination not merely to describe a distinct category of human rights violations, but as an explanatory model that helps to understand how the repressive system in Belarus operates and reproduces itself.

* The phrase “You know how it is” works as an informal code. The official knows what decision is expected from above, and that knowledge takes the place of a legal basis. The person is made to believe that this is simply how things must be done, and that there is no alternative. To a large extent, this is what holds the system of repression in Belarus together. It is also what makes that system so hard to see.

Since 2020, the state has deliberately developed and pursued a discriminatory policy against those it regards as opponents of the authorities. Over the six years this policy has been under way, the authorities have built and continue to run a **coordinated, state-level system for suppressing dissent, involving law enforcement agencies, the courts, the penitentiary system, and other state bodies**. It operates not only through “traditional” violations such as detentions and convictions, but reaches into almost every sphere of public life, including employment, education, healthcare, culture and social security.

1 Indicators of the “systemic” nature of discrimination

Discrimination is systemic where the following features are present: entrenchment in law and regulation; reach across multiple spheres (wide prevalence); persistence over time; a dedicated institutional infrastructure; and reproduction in behavioural practices. Such a policy always places some groups at a disadvantage while granting advantages to others. The UN Group of Independent Experts also confirmed that close cooperation and coordination among State institutions enable the Government to systematically repress fundamental human rights and freedoms in Belarus (A/HRC/63/CRP.1)

Even before 2020, the state also had a certain bias against "political" individuals, but this was not widespread. Politically motivated persecution took place at the level of law-enforcement practice, while at the legislative level a commitment to the principle of equality and non-discrimination was, ostensibly, preserved.

After 2020, the state **makes deliberate efforts and expends resources**, including financial ones, on implementing its discriminatory policy and imposing discriminatory attitudes and behavior on society. Through an elaborate body of repressive legislation, an atmosphere of intimidation, and a pervasive fear of doing anything contrary to official expectations, the state compels people to treat one another with distrust and to subject every action — both their own and others' — to constant censorship.

Moreover, a defining feature of the state's systemic policy since 2020 is the attempt to cultivate not merely distrust, but outright hostility and hatred of one part of society towards another, through the particular stigmatisation of dissenters. The systemic nature of this is especially underscored by the fact that the state seeks to instil such patterns from school age onwards, including through the manipulation of memory politics: for example, new textbooks compare participants in the 2020 peaceful protests with movements that collaborated with the Nazis. "Extremist" and "terrorist" status serve the same purpose.

2 Link to crimes against humanity

The international crime of *persecution* — the deprivation of a group's fundamental rights on discriminatory grounds — is a crime against humanity. Establishing it takes more than isolated human rights violations or individual excesses by perpetrators — both of which occurred in Belarus before 2020 as well: there must be a widespread or systematic attack on a group, carried out pursuant to a state policy.

The fact that a widespread and systematic attack on the civilian population has been under way in Belarus since May 2020 has been consistently confirmed by the UN Group of Independent Experts on the Situation of Human Rights in Belarus and by the Prosecutor of the International Criminal Court (ICC), who in March 2026 concluded the preliminary examination into the situation in Lithuania/Belarus — referred by Lithuania in September 2024 — and opened an investigation.

The attack is *widespread*, given the number of victims and the recurrence of the acts constituting these crimes across the entire country. It is *systematic*, owing to the state-organised nature of the crimes and the low likelihood of their having arisen by chance. Naturally, not everything that is happening meets the criteria for international crimes, but with respect to a number of the authorities' actions, one thing can be stated unequivocally: **there is a systematic suppression of dissent through the deprivation of a particular group's rights by means of an infrastructure established specifically for that purpose**.

3 Who is the systemic discriminatory policy directed against?

The UN Group of Experts frames the target of the systematic attacks as persons "***perceived*** *as critical of, or opposed to, the government*". In many cases, the state reads into people views they may not actually hold — for instance, treating a subscriber to an independent media outlet as someone who holds oppositional views — so that even someone who holds no such views can end up targeted. Disloyalty is presumed on the basis of **proxy grounds (proxy indicators)**: travel to "unfriendly countries," holding a foreign residence permit, belonging to the Catholic faith or the Polish minority, showing solidarity with those who have been repressed, and so on. The list of such proxy grounds and the circle of victims keep expanding.

4 How the policy is implemented: the legislative level

A legal culture has taken shape in Belarus in which *rule by law* takes the place of the *rule of law*. Any measure formalised through a procedure set out in law is considered lawful, regardless of whether it accords with the Constitution or the country's international obligations. The regime controls both law-making and law enforcement, and so obtains whatever legal basis it needs for its repressive measures. The specific methods used to turn legislation into a repressive instrument are:

Proxy grounds for mass persecution. Before 2020–2021, repression was targeted and required a formal pretext. Now there are direct discriminatory norms (for example, the ban on "the promotion of homosexual relationships, gender transition and childlessness"), as well as specially introduced **status-based norms** that mark out dissent without naming it: involvement in "extremist activity", crimes "of an extremist nature", foreign citizenship or a residence permit, living abroad, and others. These are precisely the proxy grounds for persecution. Assigning such statuses closes off access to a range of rights in a single act — for example, living abroad is itself grounds for being stripped of a special-merit pension. Particularly telling here is the effective equating of dissent with extremism. This results in an organisation's or an individual's activity being declared unlawful, retroactively and irreversibly. A conviction under "extremist articles" carries, *inter alia,* a ban on working with children for teachers, the annulment of licences for estate agents and notaries, and other professional bans regardless of whether the conviction is expunged — that is, practically for life under this regime.

Chaotic and contradictory norms. The authorities graft repressive practices onto a bureaucratic system that is, at the same time, trying to carry out ordinary functions unrelated to political control. As a result, repressive innovations are introduced unsystematically, scattered across different acts and different areas of regulation. The result is not a coherent, well-thought-out system of restrictions, but a fragmented, *ad hoc* accumulation of norms that provides

neither internal consistency nor predictability — for state bodies and for people alike.

Excessively broad discretion for enforcers, bordering on arbitrariness. Repressive regulation is accompanied by excessively broad powers for the bodies responsible for its implementation — including security structures, whose powers keep being expanded by legislation — as well as *ad hoc*, non-judicial mechanisms such as the Commission on Return. At the same time, basic procedural safeguards are entirely absent. For example, the decision to add an entity to the list of "extremist formations" is taken by the Ministry of Internal Affairs or the KGB, and to the "terrorist" list by the KGB alone — a mere indictment is enough. The decisions are not published, the grounds remain unknown, and they cannot be effectively appealed.

5 How the policy is implemented: law enforcement

Every mechanism capable, in principle, of providing human rights protection is under the control of the current authorities, and civil oversight has been destroyed, so nothing restrains the courts and other bodies from selective application of the law. Some practices rest entirely on internal, informal instructions. The main features of repressive law enforcement are as follows:

- The conversion of registration, licensing and authorisation to operate into filters and instruments of control.
- The opaque maintenance and arbitrary use of a range of citizen databases — from records of administrative and criminal liability to "blacklists" for various professions — which, together with broad access to them, give local officials formal markers of disloyalty for dismissals, expulsions and refusals.
- A judiciary that has never once declined on the merits to designate materials as "extremist," accepting the special commission's findings without scrutiny.
- The emergence of a system close to Soviet-style administrative-command governance, with ideology and security officers placed within organisations and informal interference in personnel policy — Directive No. 12 (2025), for example, requires organisations of all forms of ownership to carry out

ideological work, and local administrations are demanding that private companies hire an in-house ideology officer — building, in this way, an infrastructure of control that extends beyond state bodies, institutions and enterprises to business, science, education, culture and other spheres.

As a result, there is, on the one hand, repressive regulation formulated in a way that virtually anything an enforcer suspects of being dissent can fall under a prohibition, and, on the other, enforcers vested with arbitrary powers subject to no independent oversight, along with guarantees of impunity. This has produced a **situation of profound, "chronic" legal uncertainty** in the country, in which both state bodies and ordinary people are expected to have not so much knowledge of the law as the ability to navigate proxy indicators and "signals" of disloyalty: for state bodies, this skill matters for punishing "whoever needs to be punished"; for people, for escaping punishment.

6 Key features of the system: what to take into account when assessing the situation

High latency. Over the past six years, the latent character of repression has increased significantly — both due to the deliberate concealment of information and traces of repressive practices (see the Viasna Human Rights Centre report "Hidden Repression in Belarus 2020-2026") and due to the spread of forms of pressure that are, by their nature, less overt and not always perceived as repression. This can create the misleading impression that repression is declining — which is not the case (see the related statement of the human rights coalition on the assessment of the situation regarding repression).

"Collateral repression." The authorities are becoming less and less selective in their choice of means. This gives rise to "collateral repression": measures intended for pressure end up affecting a far wider circle of people than the stated target (see the designation of the European Humanities University as an "extremist organisation", of chats among prisoners' relatives as "extremist formations", and implications of the "passport decree").

7 The real scale: affected spheres and consequences

Given the above — including the specific features noted in section 6 — it is impossible to establish precisely the circle of victims of political repression. Below is an **approximate list of the manifestations and consequences** of the state's systemic discriminatory policy. The spheres listed often overlap, and a single victim will often face several forms of repressive pressure at once.

- **Criminal and administrative prosecution on political grounds.** May be accompanied by a number of distinct but interconnected consequences, including violation of the right to a fair trial, confiscation of property, forced psychiatric treatment, conditions of detention amounting to torture or ill-treatment, and the inclusion of individuals and organisations on "extremist" and "terrorist" lists.
- **Forced departure and deportation.** Most vulnerable are persons forcibly removed from the country (sometimes without personal documents). But everyone who has left for political reasons faces transnational repression to one degree or another: the implications of the "passport decree" (*effectively being rendered stateless, being unable to dispose of property, difficulties in registering a marriage, etc*), trials *in absentia*, "not economically active" status, the withdrawal of social support, pressure on relatives in Belarus, abuse of Interpol mechanisms, and others.
- **Employment.** These practices are specifically covert (with "neutral" grounds used, dismissal "at one's own request"), yet widespread: mass dismissals, professional bans, "blacklists", the inability to find new employment because of pressure on employers, pressure over travel abroad to "unfriendly countries", and restricted opportunities for career advancement.
- **Education.** The state monopolises and ideologises the sphere of education, closes private institutions, introduces ideological filters for teaching staff in both formal and informal education (including restrictions on self-employed tutors), bans distance learning at foreign schools, requires character

references reflecting one's "attitude towards state institutions", censors curricula, restricts the study of minority languages and the Belarusian language, as well as academic mobility, and recognises educational initiatives as "extremist."

- **Financial restrictions.** Disproportionate fines, the seizure and confiscation of property, the extortion of "voluntary donations" from those who have shown solidarity with the repressed or with Ukraine, the destruction of businesses, special monitoring of financial transactions, and problems with bank accounts for people with "extremist" and "terrorist" statuses.

- **Arbitrary administrative practices** that violate a whole range of rights, including the right to privacy and the right to liberty and security of person: surveillance, the arbitrary handling of personal data, discriminatory conditions of supervision over former political prisoners, monitoring of financial transactions, arbitrary and at times degrading border checks, the blocking of internet resources, mandatory fingerprinting for Belarusians with a foreign residence permit or citizenship, and so on.

8 The cost to society and transitional justice

Damage is inflicted on the country as a whole: beyond the direct consequences of persecution and pressure, there is irreparable harm to a vast number of families, an outflow of people, expertise, practices and institutions, missed opportunities, and the destruction of the country's cultural fabric and social bonds.

Among particularly significant negative consequences:

Distorted legal system. The wholesale embedding of repressive norms undermines the coherence of legislation and normalises the public denial of equality before the law to those deemed "undesirable." Especially dangerous is educating a new generation of lawyers in the logic of rule by law rather than the rule of law: the consequences may prove more severe than those before 2020, not least during the transitional period.

The social dimension. A widespread and systematic attack on a certain group leads to a division of society between those who were repressed and those who did the repressing ("victims and tormentors"). Whether transitional justice will be able to mitigate these consequences remains an open question.

The lens of systemic political discrimination is particularly important for **transitional justice considerations**. It helps reveal the real circle of victims and address the **root causes** of what is happening. It also makes it possible to take into account social, economic, and cultural rights affected — easily forgotten with the traditional focus on civil and political rights — across all components of the transitional justice process: establishing the truth, accountability, reparation, and guarantees of non-recurrence.

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