“You Know How It Is”

Systemic Political Discrimination in Belarus:
Mechanisms, Scale and Consequences

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CONTENTS

WHO IS THIS REPORT ADDRESSED TO **3**

INTRODUCTION **4**

KEY FINDINGS **6**

METHODOLOGY AND LIMITATIONS **8**

1. CONCEPTUAL FRAMEWORK **9**

2. CONTEXT: DISCRIMINATION BEFORE 2020 ..... **11**

3. INDICATORS OF THE "SYSTEMIC" NATURE OF DISCRIMINATION **13**

4. SYSTEMIC DISCRIMINATION AND CRIMES AGAINST HUMANITY **15**

5. PERSONS SUBJECTED TO SYSTEMIC POLITICAL DISCRIMINATION **17**

6. MECHANISMS FOR IMPLEMENTING THE DISCRIMINATORY POLICY **18**

6.1 Legislative level 19
6.2 Level of law enforcement 26

7. THE ACTUAL SCALE OF SYSTEMIC POLITICAL DISCRIMINATION **31**

An illustrative list of the manifestations and consequences of the state's systemic discriminatory policy 33
What This Looks Like in Practice 39

8. CONCLUSION: THE COST TO SOCIETY **41**

NOTES **43**

Words and phrases with a dotted underline link to endnotes: click on the underlined text to open the note at the end of the report.

Who is this report addressed to

International mechanisms for human rights protection and international criminal justice

The report makes it possible to approach the international legal assessment and characterisation of the situation in Belarus through the analytical lens of systemic discrimination. From this standpoint, it identifies the mechanisms that shape and reproduce the repressive discriminatory system, and draws attention, among other things, to its tendency to expand continually in the form of "collateral repression" and to the critically important role of the "system of signals" and of discriminatory law enforcement. This lens makes it possible to take into account a wider circle of victims and a broader range of affected human rights, with an emphasis on social and economic rights.

Diplomats, other representatives of foreign states, and actors shaping policy positions

The report proposes approaching repression in Belarus through the lens of systemic discrimination. Its scale and circle of victims are substantially wider than may appear when individual repressive practices are considered in isolation. Taking into account the nature and real scale of the repressive system may be useful for developing policy positions, advocacy and determining the measures needed to restore normality in the country and to protect those affected, including Belarusians in exile.

Migration authorities in countries where Belarusians seek protection or residence

The report offers information relevant to assessing the situation in the country: on the structure of the repressive system and its characteristic features, on the real scale of repression and, on that basis, on individual risks for particular persons. The analytical lens of systemic discrimination, combined with the specific features of the system — the importance of "signals" of unreliability for subsequent persecution, the latency of repression and the tendency towards "collateral repression" — helps explain why the risk of individual politically motivated persecution may be high even for persons who have not been politically active. It also helps explain why the absence of documented persecution does not mean that a person will not face arbitrary detention, an unfair trial and deprivation of liberty on crossing the border.

The key findings of the report for migration authorities are set out in a separate note: *Systemic political discrimination in Belarus: key findings for asylum and migration decision-makers*.

Introduction

Repression in Belarus is usually associated with well-known cases of direct criminal or administrative prosecution: detentions, searches, deprivation of liberty. The situation in the country is often judged by the number of persons recognised as political prisoners. Attention tends to concentrate on these issues, as well as on violations of the rights that are "traditionally" at stake in our context — freedom of expression, freedom of association and peaceful assembly, and the right to a fair trial. Against this background, other forms of politically motivated restriction of rights may be perceived as not serious enough, and the risks associated with them underestimated.

However, since 2020 the repressive apparatus in Belarus has been transformed and is now capable of carrying out mass and systematic violations of a much broader range of rights against a much broader circle of people — dissenters and those whom the state regards as such. This has become possible due to a combination of arbitrary legal grounds, selective law enforcement and the state's informal, unwritten expectations regarding the conduct of officials and private individuals.

The formula "you know how it is", long familiar to Belarusian society, reflects precisely this logic. Today it has acquired new relevance as the discriminatory policy extends to different spheres of life and different groups of people. When what triggers repressive measures is, in essence, normal, lawful behaviour, this formula helps to bridge the gap between the formal legal grounds and the real political motives, and explains the non-obvious link between actual or perceived political "unreliability" and the persecution that follows.

The concept of **systemic political discrimination** helps to understand the nature and scale of what is happening in the country. In our case, we are dealing not with episodic human rights violations but with a **deliberate discriminatory state policy**, implemented at various levels and across many spheres. The circle of those affected by this policy is significantly wider than the circle usually associated with victims of political repression.

Systemic political discrimination as an analytical lens

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

Key Findings

- Discrimination in Belarus, including systemic discrimination on gender, political and other grounds, is not a new problem. Since 2020, however, the state has been developing and implementing a *qualitatively new discriminatory policy*, aimed at the systematic suppression of dissent by curtailing a targeted group's rights, through an infrastructure built specifically for this purpose.
- The authorities deliberately seek to eradicate dissent, to prevent its reproduction, and to punish those they identify as holding or spreading such views. As a result, dissenters face not only direct prosecution, but also marginalisation, exclusion from social life and the public sphere, and the curtailment of a wide range of rights. **On the whole, there is no human right whose realisation has not been affected by this policy since 2020**.
- By 2026, a discriminatory system had taken shape that relies not only on actual disagreement with the authorities, but also on a **constantly expanding set of "signals of unreliability"**. Owing to broadly worded repressive legislation and unchecked arbitrariness in law enforcement, such signals are subsequently converted into persecution with ease. A broad system of legally entrenched proxy grounds makes it possible to persecute a person simply because the state has labelled them "unreliable".
- This policy has produced a state of **profound, "chronic" legal uncertainty**, **in which both society and the prosecuting authorities must develop particular skills**: from ordinary people, it demands that they avoid, by every means, any sign of *what might be taken* for dissent; from the authorities, that they rely on constantly expanding, subjectively defined "signals" and punish such manifestations accordingly.
- Systemic discrimination by its nature takes root in everyday practices and patterns of behaviour as well. Through its policy, the state **constructs and imposes a new "normality" on society**, built on the marginalisation of those deemed "political" and dissenters of any kind. It stimulates and encourages distrust, suspicion, and the censoring of both others' actions and one's own, imposing on one part of society hostile patterns of behaviour towards another. Without pressure from the state, such practices and patterns **would not reproduce themselves** on anything like today's scale.
- Assessing the real scale of what is happening is difficult: the repressive system is, first, highly latent — the authorities conceal information about

repression, and discriminatory practices are disguised as neutral ones; and second, it expands unpredictably, drawing in more and more persons who have nothing to do with politics at all — what we call "collateral repression".

- A genuine improvement in the situation of equality and human rights in the country will require more than the immediate release of all political prisoners and an end to direct prosecution. It will also require **measures that address the systemic nature of political discrimination** — the sheer range of forms and spheres in which it has already taken root. Without such measures, this discrimination will continue to reproduce itself through the state's own efforts.

Methodology and Limitations

The report covers the period from May 2020 to September 2026. It draws on data from the Belarus Human Rights Index, monitoring of Key Trends in Public Policy, analysis of legal and regulatory acts, and materials produced by Belarusian human rights organisations and international mechanisms.

Under the current repressive conditions, and given the state's active efforts to restrict access to information, the report has to operate with approximate data.

Systemic discrimination by its very nature affects many spheres of life at once and takes various forms, some of them partly invisible to monitoring, not least because of the state's efforts to conceal the scale of what is happening. Experts do not have exhaustive information on all forms and consequences of discrimination. Nevertheless, we consider it important to systematise what is known and to outline the general contours of discriminatory practices, which are unambiguously broader than the common understanding of how discrimination operates in Belarus.

Terms drawn from Belarusian legislation and law enforcement practice ("extremist", "terrorist", "extremist formation", "extremist materials", "social parasitism", etc.) are given in quotation marks. They are reproduced for the sake of accuracy in referring to normative acts and decisions of state bodies. The quotation marks signify that the authors of the report do not accept the validity of the corresponding classifications: in most of the cases examined, they are applied to lawful activity that does not meet the criteria for extremism, terrorism, or other socially dangerous acts under international standards.

1 Conceptual Framework

The practices examined in the report are assessed against the international standards of equality and non-discrimination enshrined in treaties to which Belarus is a party, in particular Articles 2(1) and 26 of the International Covenant on Civil and Political Rights (ICCPR) and Article 2(2) of the International Covenant on Economic, Social and Cultural Rights (ICESCR), as interpreted in Human Rights Committee General Comment No. 18 (CCPR GC 18) and Committee on Economic, Social and Cultural Rights General Comment No. 20 (CESCR GC 20).

Discrimination is unequal treatment of a person on the basis of a protected characteristic they actually possess or are perceived to possess, where that treatment has no reasonable and lawful justification and results in the person being unable to enjoy their rights on an equal footing with others.

Political opinion is expressly listed among the grounds on which differential treatment is prohibited (ICCPR, Articles 2(1) and 26; ICESCR, Article 2(2); ILO Convention No. 111, Article 1(1)(a)). Protection extends to both the holding and the not-holding of opinions, as well as to their expression and to membership of associations, trade unions or political parties sharing particular views (CESCR GC 20, para. 23). Discrimination also occurs where a characteristic is imputed to a person, or where differential treatment is based on a person's association with the group concerned (ibid., para. 16). Importantly, the victim's actual views need not be established for the treatment to qualify as discriminatory.

Not every instance of unequal treatment amounts to discrimination, however: international standards permit differential treatment where:

- it is objectively justified;
- it is necessary to achieve a legitimate aim (and the aim does not itself conflict with human rights standards);
- it is strictly proportionate to that aim — there is no less restrictive way of achieving it.

A distinction can be drawn between *de jure* discrimination — where unjustified differential treatment is written directly into legislation — and *de facto* discrimination, where certain groups end up in a less favourable position for one reason or another, even though the state's legal system is formally built on the principle of equality before the law.

States are obliged to avoid *de jure* discrimination and to take measures to remedy *de facto* discrimination. For basic information on the state's obligations in this area, and on what business and individuals can do, see this BHC explainer on discrimination (in Russian).

2 Context: Discrimination Before 2020

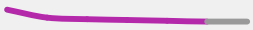
Belarus did not start with a blank slate in 1991: from the Soviet period, we inherited a great many beliefs, at the level of everyday life and beyond, as well as legislation, administrative practices, and distrust towards particular groups — which, never having been critically reflected on, have remained part of our everyday life and helped sustain discriminatory practices both in private relations and in the workings of state institutions. Even before 2020, women, the LGBTQ+ community, people with disabilities, certain religious and ethnic minorities, and other groups faced systemic, entrenched, unjustified differences in treatment across many spheres of life.

The general principle of equality before the law, enshrined since 1994 in Article 22 of the Constitution, like the state's international non-discrimination obligations, remains a declaratory norm rather than a direct guide to action. No *comprehensive understanding of the impermissibility of discrimination*, or of the wide range of legal relations in which it can arise, has taken hold in the country. For now, anyone seeking to protect themselves *specifically against discrimination*, relying on Belarusian law, can only do so on the basis of the relevant articles of the Labour Code and the Law on the Rights of Persons with Disabilities and their Social Integration. A comprehensive anti-discrimination law, establishing a single framework for combating discrimination, is still lacking. For more on the problems with the existing system, and on our own vision of the measures that should be adopted in this area, see: Conceptual Framework for a System of Measures to Combat Discrimination and Ensure Equality in Belarus.

Since 2020, the state has been imposing on Belarusian society a qualitatively new phenomenon — systemic discrimination on the grounds of actual or state-imputed political views.

In recent years, the Belarus Human Rights Index and the Key Trends in Public Policy have shown that discrimination on the grounds of actual or state-imputed political views now affects, in one way or another, the realisation of every right assessed.

The expert score for “equality and non-discrimination” has been steadily declining. In 2025, experts of the Belarus Human Rights Index rated the “equality and non-discrimination” component at 2.1 out of 10, compared with 3.6 in 2019.

	2019		2025
Equality and non-discrimination	3.6/10		2.1/10
The “equality and non-discrimination” score is the average of five indicators:			
Human rights are recognized for everyone and are respected and ensured for all without distinction of any kind, such as race, colour, sex, language, religion, political or other opinions, national or social origin, property, birth or another status	4.6/10		1.6/10
There is a legal prohibition of all forms of discrimination, including direct and indirect one, as well as other forms	3.6/10		2.5/10
Effective mechanisms for protection from discrimination, including administrative and judicial protection, are established and functioning and are available without limitations to victims of discrimination	2.4/10		1.3/10
Civil servants and members of the legal professions receive training and periodic retraining on equality and non-discrimination	2.4/10		1.8/10
State programs, plans, strategies and other measures to protect and respect the rights of vulnerable groups have been adopted and are being implemented at various levels	5.0/10		3.1/10

Change compared with the previous year: positive negative no change. Scale 1–10: 1 — legislation and practice do not conform to international standards at all; 10 — full conformity. More on the methodology: index.belhelcom.org

Unequal treatment and restrictions on rights based on a person’s actual or perceived political position **have long since extended beyond freedom of expression, freedom of assembly and association, and the right to take part in public affairs** — the rights in which restrictions on political opponents, and dissenters more broadly, have traditionally been documented. Such discrimination is now found in education, healthcare, the exercise of the right to work, cultural life, social security, and other spheres.

3 Indicators of the "Systemic" Nature of Discrimination

According to CESCR General Comment No. 20 (para. 12), discrimination against some groups may be pervasive, persistent and deeply entrenched in social behaviour and organisation. Such systemic discrimination can be understood as "legal rules, policies, practices or predominant cultural attitudes in either the public or private sector which create relative disadvantages for some groups, and privileges for other groups". Several indicators of systemic discrimination can be derived from this definition, and they should be assessed cumulatively:

- entrenchment in law and regulation;
- reach across multiple areas of life (pervasiveness, relative disadvantage for certain groups);
- persistence over time;
- dedicated institutional infrastructure;
- reproduction in behavioural practices.

Indicators of systemic discrimination

In arguing that political discrimination in Belarus has reached a systemic level, we find that all of the indicators set out above have intensified since 2020, and some have emerged for the first time. The UN Group of Independent Experts has 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).

Systemic discrimination entails entrenchment in everyday practices and behavioural patterns. Even before 2020, there was also a certain bias in Belarusian society against those deemed "political": Belarusian-language speech, for example, often served as a marker of potential "unreliability". This bias, however, was not widespread in character (unlike the unequal treatment of other groups, which have traditionally faced considerably less tolerance) and, crucially, was not encouraged by the state at a systemic — including legislative — level.

Since 2020, the state **has chosen to devote deliberate effort and resources** — financial ones included — to implementing its discriminatory policy and imposing discriminatory attitudes and behaviour. 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. This includes dismissing, or simply refusing to hire in the first place, anyone about whom there is even the slightest doubt as to their reliability. Without pressure from the state, such practices simply would not reproduce themselves at the systemic level we now observe.

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 on the part of one section 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. One striking example is the comparison and equation — including visually — in new school textbooks, of participants in the 2020 peaceful protests with national movements that collaborated with the Nazis during the Second World War. "Extremist" and "terrorist" statuses play the same role (see below).

4 Systemic Discrimination and Crimes Against Humanity

The international crime of ***persecution*** consists in the deprivation of a particular group's fundamental rights on discriminatory grounds. It is, moreover, one of the ***crimes against humanity*** — and crimes against humanity cannot consist of isolated human rights violations, or of individual excesses (these, however, took place in Belarus before 2020 as well).

Crimes against humanity are committed only where a specific ***contextual element*** is present: a widespread or systematic attack against a particular group, carried out with the perpetrator's knowledge of that attack, rather than by someone acting in isolation. Where such crimes are organised by the state, or with its knowledge, we speak of the existence of a corresponding ***state policy***.

The fact that Belarus has, since May 2020, been the site of a widespread, systematic attack on the population is consistently affirmed by the UN Group of Independent Experts on the human rights situation in Belarus. The attack is *widespread* — given **the number of victims** and **the recurrence** of the acts constituting these crimes, across the entire country. It is also *systematic* — owing to the **state-organised nature of the crimes** and the low likelihood of their having arisen by chance. These findings are corroborated by the Prosecutor of the International Criminal Court: in March 2026, the Prosecutor concluded the preliminary examination of the Belarus situation referred to the Office by Lithuania. The Prosecutor confirmed that there is a reasonable basis to believe that the authorities are committing crimes against *"actual or perceived opponents of the Government"* (including through deportation), and that this conduct forms part of a "widespread and systematic attack against the civilian population". In the Prosecutor's view, there is reason to believe that the alleged crimes were encouraged or approved by the highest levels of the government.

The discriminatory attack on dissenters, or those regarded by the state as such, takes many forms and is carried out across a wide range of spheres, as discussed

below. It is likely that only part of this attack would satisfy every requirement that international criminal law imposes for international crimes. Nevertheless, the crime of persecution referred to above, for instance, captures what is happening in Belarus well at the conceptual level, since this has long ceased to be a matter of isolated human rights violations by individual actors, and has become the **systematic suppression of dissent through the deprivation of a particular group's rights, by means of an infrastructure built specifically for that purpose**.

5 Persons Subjected to Systemic Political Discrimination

It is worth noting how the UN Group of Independent Experts frames those against whom the widespread and systematic attack is directed: it speaks of "Belarusians *perceived* as critical of, or opposed to, the government". The word "perceived" is significant here: the discriminating actor frequently reads a given characteristic into the person being discriminated against (presuming, for instance, that someone subscribed to an opposition resource themselves holds oppositional views), so that even where the victim of discrimination does not, in fact, possess that characteristic, this does not mean they cannot be subjected to discriminatory treatment.

With regard to many Belarusians, initiatives, and organisations, the state **presumes disloyalty on the basis of an enormous range of proxy grounds**: these may include travel to "unfriendly countries", holding a foreign residence permit, being Catholic or belonging to the Polish minority, or showing solidarity with those who have been repressed, among others. **Since the discriminatory policy keeps developing and expanding into new spheres, its reach — and with it, the list of proxy grounds and the circle of people who may come under repression — will also continue to grow.**

6 Mechanisms for Implementing the Discriminatory Policy

The systemic nature and broad scale of this discrimination are ensured, in our case, by the state (a) formalising discrimination — both through norms that directly establish unequal treatment, and through other repressive norms that create the conditions for discrimination — and (b) engaging in selective, discriminatory enforcement of the regulation already in place.

(a) the need for a legal basis for repression:

Belarus has developed a legalistic culture based on rule by law, rather than the rule of law: on the one hand, the executive still requires legal grounds for its actions; on the other, such grounds are readily supplied by any normative document formally adopted through the established procedure — regardless of how well it accords with the Constitution, the country's international obligations, or general principles of law. The system rests on a firm conviction that any measure clothed in the proper procedural form is lawful, and therefore incurs no liability. Widespread and systematic suppression of dissent thus requires a corresponding legal and institutional basis for its implementation — and this it duly receives, since Belarus is, in this respect, an authoritarian regime that exercises full control over both law-making and law enforcement for its own purposes.

(b) vague norms and selective enforcement:

The authorities attempt to use the legal system for their own ends while maintaining the illusion of legality. Not knowing how to formulate the prohibitions they actually want at the appropriate level of abstraction — *what, for instance, would a ban on displaying any combination of white and red in given proportions, in any form, even look like? Or a ban on subscribing to a human rights*

initiative's Telegram channel? — **they are forced to distort the very logic of law itself**. As a result, they rely on:

- **broadly formulated norms**, under which, **given arbitrary enforcement**, virtually anything can be made to fall;
- **selective persecution — administrative, criminal, and in other forms** (the competent authorities, relying on arbitrary signals of disloyalty, decide for themselves whom to regard as unreliable, and how to deploy the available repressive tools to punish that "unreliability").

Below, we describe the mechanisms and practices, at both the legislative and law-enforcement levels, that allow the state to carry out its discriminatory policy.

6.1 Legislative level

A. The use of proxy grounds for mass persecution

Before 2020–2021, repression in Belarus was relatively targeted: a harsher legal regime was already in place for civil society organisations, and the authorities have already persecuted politicians and activists selectively; in each individual case, however, a basis for restricting rights had to be found in existing legislation (inventing, for instance, formal pretexts such as tax violations to shut down an unwanted civil society organisation).

After 2020, the authorities began looking for tools that would allow for the persecution of dissent on a larger scale, under more palatable pretexts. As a result, legislation at various levels and across various fields of regulation began to feature both direct discriminatory norms — targeting those the state "is not ashamed" to discriminate against (see, among other examples, the recently introduced ban on the "promotion of homosexual relationships, gender transition, and childlessness") — and status-based norms **that make it possible to "mark out" dissent without naming it openly**, relying on proxy grounds (involvement in "extremist activity", the commission of crimes "of an extremist

nature", holding foreign citizenship or a residence permit, living abroad, among others).

Of particular note is the manipulation of anti-extremism and counter-terrorism legislation. Extremism and terrorism are, by their very nature, phenomena of particular social danger, which, once duly established through proper procedure, may indeed warrant serious restrictions on the rights of those who have committed them. The authorities exploit this by:

a) effectively equating dissent not just with ordinary offences, but with *extremism*, and

b) building an entire ecosystem of repressive consequences around the assignment or establishment of the corresponding status: being held liable under "political" administrative or criminal statutes opens the door to a whole range of discriminatory measures in spheres of interest to the state (see Diagram 1b below).

Without invoking "extremism" and "terrorism," the authorities would be unable to explain what exactly, in the conduct of a person who has gone out into the street in a white-red-white jumper, or donated 50 roubles to a humanitarian fund, could possibly justify criminal prosecution, special monitoring of their financial transactions, and an automatic — sometimes lifelong — ban on access to a range of professions, all at once.

In this way, the use of "anti-extremist" and "anti-terrorist" legislation allows a single act — the very assignment of "terrorist" or "extremist" status — to deny a person, or an initiative or organisation and the content it produces, access to a (continually expanding) range of rights, and to declare their activity unlawful, including retroactively.

B. Internally contradictory, broadly formulated regulation, and a constantly expanding range of repressive consequences

Since the authorities are not building a total repressive system from scratch but rather grafting repressive practices onto a bureaucratic system that is, at the same time, attempting to carry out its ordinary functions unrelated to political control, repressive amendments are often adopted unsystematically. The consequences of the statuses described above remain scattered across acts of different levels and different areas of regulation. The legislature is forced to return again and again to the same laws and codes in order to fit repressive innovations into them. 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.

A good illustration of just how unpredictably far general discriminatory norms can extend their reach is the "anti-extremism" ecosystem, which has grown enormously in recent years.

At its core lies a groundlessly broad and unwieldy definition of "extremism", together with a wide list of disparate offences and crimes of varying severity. Around this core, a series of other key concepts have been built ("crimes of an extremist nature", "extremist materials", "extremist formation", and so on), and a dedicated infrastructure has been created to give effect to this legislation — in particular, special commissions tasked with assessing informational content for extremism.

Combined with the excessively broad discretion of the bodies responsible for "countering extremism", this ecosystem makes it possible to declare the activity of entire organisations and groups unlawful (including groups assembled by the state itself in an arbitrary manner), to block access to entire bodies of material in a single decision, and to restrict a range of rights of persons classified, without any judicial process, as "extremists" or "terrorists".

At the same time, the key concepts on which this system of rights restrictions rests are defined in several different, sometimes mutually contradictory, acts. Around half of the acts classified as "extremist activity" — for which a person can lose Belarusian citizenship — have no counterpart at all in the principal definition of extremism set out in the Law on Countering Extremism.

The pivotal concept of "crimes of an extremist nature" — the commission of which forecloses access (in some cases for life) to a range of professions — likewise has no single definition: depending on the situation, one must look for the list of such crimes either in the very act establishing the restriction (see Article 27-1 of the Law on the Rights of the Child), or in the articles of the Criminal Code (see para. 1.5 of Decree No. 100, "On the Status of the Belarusian Cosmonaut"). In June 2025, Council of Ministers Resolution No. 319 was adopted — an attempt to bring these scattered norms under a single denominator, establishing a unified annex listing crimes of an extremist nature.

This list, however, does not promote predictability or certainty, since it allows **virtually any crime** under the Special Part of the Criminal Code to be classified as a "crime of an extremist nature," provided it was committed out of motives of enmity or discord *(something Belarusian courts, as practice shows, find no difficulty establishing in any case)*.

Diagrams 1a and 1b show the part of social life and of the legal system affected by "anti-extremist" prohibitions. They demonstrate how the state uses this repressive instrument to restrict access to horizontal self-organisation through parties and associations, access to a range of professions, services and earned benefits, access to the public sphere, and so on.

In essence, **the state is reproducing the Soviet totalitarian mechanism of marginalising disloyal people and pushing them out of social life — including through professional bans and the resulting difficulties in finding new employment, which is made especially acute by the penalisation of "social parasitism".**

Diagram 1a. A model of how repressive consequences spread

Repressive impact is not confined to the initial measure and its direct addressees. It may persist for a long time, extend to new people and generate chains of further consequences affecting different spheres of life.

People and organisations

How the circle of those affected expands and for how long the consequences persist.

People subject to direct consequences

Those whom the state regards as "extremists".

As of autumn 2026, the state registers contain 6,930 "extremists", 1,674 "terrorists", 9,000+ "extremist materials", 365+ "formations" and about 20 "extremist organisations".

Expansion of the circle

New people who were not originally targeted are affected: for instance, children (placement on the register of families in a "socially dangerous situation"), relatives (who begin to be perceived as "unreliable") and professional partners (organisations conducting opinion polls are refused accreditation if any of their participants appear on "extremist" lists).

Persistence over time

Some of these people bear the consequences for a particularly long time, sometimes for life. For example, teachers face a lifelong ban on permanent work with children, while tour guides and guide-interpreters are permanently barred from certification after criminal liability for "extremist" crimes.

Start of persecution*

Time

Consequences

How the impact on rights and opportunities deepens and grows.

Direct consequences

As a rule, these are the focus of public attention.

The immediate results of persecution: deprivation of liberty, fines, professional bans, inclusion on lists and other restrictions of rights.

Secondary consequences

Additional restrictions, problems and violations of rights arising as a result of the initial persecution. For instance, unavailability of mitigation of punishment, difficulties finding employment, loss of income.

Accumulation of consequences

The consequences of different measures add up, reinforce one another and affect ever new spheres of life. For instance, a professional ban deprives a person of work; pressure on employers prevents re-employment; and the absence of work makes the person a "parasite" ("not employed in the economy") — with additional financial obligations.

* At the core of the system are excessively broad and contradictory definitions of "extremism" and related concepts, which allow a wide variety of acts to be classed as "extremist" and numerous restrictions on rights to be applied (see section 6.1 B for more).

Diagram 1b. The ecosystem of consequences of "extremist" status

This is not an exhaustive list — only part of the consequences are set out here. "Anti-extremist" legislation is considerably broader, and also covers countering the rehabilitation of Nazism, terrorism, incitement to hatred, and denial of the "genocide of the Belarusian people" — each of these strands has its own legal basis, giving rise to its own, separately branching set of legal consequences.

Conviction for a "crime of an extremist nature"

the term itself is defined differently across different acts — see above

Convicted persons in general

Excluded from the humanisation of criminal liability — mitigations available to everyone else do not apply to this category

Law No. 61-Z of 17.02.2025 "On Amending Codes on Criminal Liability"

Pedagogical staff

Lifelong ban on permanent work with children

Art. 27-1, Law "On the Rights of the Child"

Criminal or administrative liability under specifically listed "extremist" articles

- **Tour guides and guide-interpreters**

  Barred from certification — for life following criminal liability, for 5 years following administrative liability

  Cl. 2, Regulation on the Procedure and Conditions for Professional Certification of Tour Guides and Guide-Interpreters

- **Children — via "socially dangerous situation" status**

  Council of Ministers Resolution No. 1055, 30.12.2024

Inclusion on the list of persons "involved in extremist/terrorist activity"

- **Bank employees**

  Inclusion on the list is grounds for deeming a candidate's business reputation discredited; such a person cannot be a "person performing key functions at a bank"

  National Bank Board Resolution No. 669 of 19.12.2012, cl. 2, 23

- **Religious organisations**

  Persons on the list cannot serve as heads or founders

  Art. 12, Law "On Freedom of Conscience and Religious Organisations"

- **Organisations conducting public opinion polls**

  Accreditation is refused if any participant is on the list

  Cl. 4, Regulation on the Accreditation of Legal Entities to Conduct Public Opinion Polls

The broad concept of "extremist activity" / "extremism" itself, which generates consequences in its own right

- **Persons convicted of "extremist activity" — basic, general ban**

  Barred from activities involving the circulation of narcotics, from teaching and publishing activities, and from holding state office or performing military service

  Art. 18, Law No. 203-Z "On Countering Extremism", 04.01.2007 (as amended 17.07.2023)

- **Estate agents**

  Certificate revoked for "any activity aimed at discrediting [the state]" — including engagement with extremist formations and subscribing to extremist resources

  Cl. 33, Instruction on the Certification of Estate Agents

- **Notaries**

  Engagement with extremist formations and subscribing to such resources is a breach discrediting honour and dignity, and grounds for revoking a licence

  Cl. 19, 20, Rules of Professional Ethics for Notaries

- **Media founders**

  Barred from founding a media outlet for 5 years after the liquidation of an extremist organisation of which the candidate was previously a member

  Cl. 3.4-2, Art. 10, Law "On Mass Media" No. 427-Z, 17.07.2008

- **Children's associations**

  Creation banned if their aim is extremist activity, or if the "possibility" of such activity is "allowed for"

  Art. 26, Law "On the Rights of the Child"

- **Political parties**

  The same ground bars creation, and separately serves as grounds for liquidating an existing party

  Art. 7, Art. 32, Law "On Political Parties"

- **Religious education programmes**

  Content may not include the promotion of extremist activity

  Art. 10, Law "On Freedom of Conscience and Religious Organisations"

- **Statutes, doctrines, and cult practices**

  May be inspected for manifestations of extremism

  Art. 22, same law

- **Belarusian citizens abroad**

  Loss of citizenship — even citizenship acquired by birth — for involvement in extremist activity; this ground applies specifically to those located abroad

  Art. 19, Law No. 136-Z "On Citizenship of the Republic of Belarus", 01.08.2002

A broader formula that subsumes extremism as one instance — "harm to state or public interests"

- **Cosmonauts**

  Loss of special social guarantees and benefits for causing harm to state/public interests, including extremist activity as one such instance

  Cl. 1.5, Decree No. 100 "On the Status of the Belarusian Cosmonaut", 19.03.2024

Notably, only a **fairly limited set of repressive consequences** flows from the **key law** governing the countering of "extremism"; the rest appear in separate acts of legislation, applying now to one sphere, now to another. Either way, all of them effectively introduce new penalties to which the procedural safeguards of administrative or criminal proceedings do not apply.

It is also worth noting that, under the regulation currently in force, some "automatic" consequences of "extremist" status **remain with a person for life** — irrespective of whether their conviction has been expunged. Quite apart from the fact that a non-individualised, extrajudicial ban on holding a particular position is itself contrary to international standards, it is hard to see what could justify a lifelong bar on working with children, or on acting as a tour guide, for someone convicted of, say, volunteering for a human rights organisation.

In our Key Trends in Public Policy, we track the expansion of repressive regulation, including the emergence of new discriminatory "anti-extremist" norms.

C. Excessively broad discretion for enforcement bodies, bordering on arbitrariness and constantly expanding through legislative change

Repressive regulation is accompanied by excessively broad powers for the bodies responsible for its implementation — including security agencies, which are acquiring ever greater importance within the system, as well as *ad hoc*, non-judicial mechanisms such as the Commission on Return. It is also accompanied by a complete absence of procedural safeguards.

The most consequential decisions — to place an organisation or initiative on the list of "extremist formations", or to add an individual to the "terrorist" list, both of which trigger a series of repressive consequences — are **removed from judicial oversight altogether**: they are taken by the Ministry of Internal Affairs or the KGB in the first case, and by the KGB alone in the second. Adding a person to the "terrorist" list does not even require a conviction under the relevant articles — **a pending criminal charge is enough**.

Moreover, the texts of such decisions are not published, and the grounds for inclusion on the lists remain unknown even to the individuals concerned, which rules out any possibility of effective appeal.

6.2 Level of law enforcement

Conditions have been created in the country not only for arbitrariness in law enforcement in pursuit of the state's aims generally, but specifically for **selective** administrative and criminal **prosecution**. All the key mechanisms for protecting rights are under the control of the current authorities, and the possibility of oversight by civil society has been destroyed — in this situation, **nothing restrains the courts and other bodies from applying the law in a discriminatory manner**. Some repressive practices are carried out on the basis of internal departmental instructions alone — formal and informal — with no other basis at all.

Mechanisms that are neutral in themselves — the registration of parties, religious organisations and public associations, admission to certain activities through licensing, and others — are applied arbitrarily and turned into filters and instruments of control (see Diagram 1b above). The opaque, arbitrary maintenance of various databases on citizens — from records of administrative and criminal liability to "blacklists" for various professions — together with broad access to them, makes discriminatory treatment possible at the local level. Such lists and databases become a set of formal markers of disloyalty, on

the basis of which officials and staff at organisations on the ground make discriminatory decisions: to dismiss, to expel, to deny someone the exercise of a right.

Under the law, the designation of materials as "extremist" still formally falls within the competence of the courts. In practice, however, there is no recorded instance of a court rejecting, on the merits, a request to designate materials as "extremist": the findings of the special commission tasked with assessing information products are accepted by the courts without any critical scrutiny whatsoever.

At the level of administrative practice, a system is emerging that closely resembles **Soviet-style administrative-command governance**, one that lays claim to control over every sphere of public life, including the economy and private relations. An infrastructure of control is being built not only over state bodies, institutions and enterprises, but also over private business, and over the scientific, educational, cultural and other spheres — including through the placement of ideology and security officers within private organisations, the purging of civil society, the mechanisms described above that restrict any possibility of self-organisation, and the creation of state-controlled bodies of civic self-governance. Informal state interference in organisations' staffing and other internal policies has become standard practice.

Directive No. 12 "On the Implementation of the Foundations of the Ideology of the Belarusian State," adopted in 2025, sets unified standards for ideological work across the country and establishes a requirement for organisations of "all forms of ownership" to carry out such work — to this end, every organisation must have staff responsible for coordinating it. Following the adoption of the Directive, private companies began receiving letters from local administrations instructing them to hire an in-house ideology officer — and to provide detailed information about that employee.

As a result, on the one hand, we have repressive regulation formulated in such a way that virtually anything an enforcement actor suspects of dissent can, in principle, fall under a prohibition; on the other, we have enforcement actors vested with arbitrary powers, subject to no independent oversight, together with guarantees of their impunity.

Since the authorities are trying to persecute normal, lawful behaviour that does not lend itself to straightforward criminalisation, while at the same time having their own notions of *what constitutes potentially dangerous, unreliable, or undesirable* behaviour or content, **they are forced to rely on a set of "signals"** by which to identify such undesirable behaviour — and, using existing regulation, to engage in selective, and therefore inherently discriminatory, administrative and criminal persecution. Alongside this, a number of other repressive norms are applied, imposing punishment on people entirely outside administrative or criminal proceedings and the safeguards attached to them.

At the same time, what is expected of individuals and organisations, as well as of the competent authorities, is not so much detailed familiarity with the new regulation *(which is simply impossible given its unwieldiness and internal contradictions — the list of "extremist materials" alone ran to almost 3,000 pages as of September 2026)*, but rather the ability to navigate the proxy markers and system of signals described above. For ordinary people, this means doing everything possible to avoid displaying anything that might be taken as a manifestation of dissent (and making sure that no trace of such manifestations remains in the public domain, even from the period before 2020); for the competent authorities, it means relying on constantly expanding, subjectively defined "signals" to punish such manifestations.

The following key features of the established system must be taken into account for a sound assessment of developments in Belarus and of the situation of Belarusians abroad:

a) Systemic political discrimination has a tendency to expand continually and to spread "collateral repression" (from the military "collateral damage"). Not only are the notions of "disloyalty" and "dissent" themselves expanding, and with them the reach of repressive practices, but the authorities are also increasingly adopting repressive measures that affect a far wider range of people than the dissenters they were originally intended to target.

The "passport" Decree No. 278, clearly aimed at seriously restricting the rights of citizens who were forced to leave Belarus because of the risk of political persecution, ended up affecting all Belarusians living abroad, without exception.

In order to put pressure on the relatives of political prisoners, the authorities designated dozens of chats as "extremist formations". Most of their participants were relatives of ordinary prisoners, who are now themselves at risk of criminal prosecution.

The designation of the European Humanities University as an "extremist organisation" likewise exposed a huge number of people — anyone who had ever interacted with it in any capacity — to the risk of criminal prosecution.

As a result, it is becoming ever harder to predict who may be subjected to repression, when, and on what grounds, as a result of discriminatory treatment on account of their views — or of whatever the state deems an expression of those views.

b) A high degree of latency in the repression. Given how widespread informal pressure and discrimination on proxy grounds have become, coupled with the fact that the motive behind a repressive measure often goes undocumented (dismissals and expulsions carried out, ostensibly, on "neutral" grounds), and given the state's own efforts to conceal the true scale of what is happening — including by restricting access to statistics and manipulating them — **it is becoming increasingly difficult to establish the real circle of victims of the state's discriminatory policy. This can create the misleading impression that the intensity of repression is declining, which does not reflect reality** — even on the

basis of the limited data available to us: see the Human Rights Centre “Viasna” report on “hidden repression” as well as the special statement of 12 October 2026 by the human rights defenders coalition assessing the situation regarding repression.

7 The Actual Scale of Systemic Political Discrimination

For the reasons set out above, establishing the real scale of the repression and the circle of those affected remains difficult even six years into this discriminatory policy. Repression, particularly in public discourse, is often understood to mean direct criminal or administrative persecution — detentions, searches, deprivation of liberty, "extremist" and "terrorist" status. The rights most commonly cited as being violated are freedom of expression, freedom of peaceful assembly and association, and the right to a fair trial. As a result, the circle of those recognised as victims of repression tends to be limited to people subjected to these forms of direct persecution.

And yet the repressive system that has taken shape — one built on systemic discrimination on political grounds — **gives rise to consequences that are far broader**, **extending today into virtually every sphere of social life, including social, economic and cultural rights**.

Below is an illustrative list of the spheres affected by the discriminatory policy and of its consequences. It does not claim to be exhaustive, but it makes the scale of repression and the breadth of the circle of those affected somewhat clearer and more tangible.

It is important to note that a strict systematisation of the consequences of repressive policy is made challenging by the very structure of the system: it is internally contradictory and complex, covers virtually all spheres of life, and draws private actors into the implementation of its policy. The same repressive actions may affect several rights at once and give rise to cascading, not always obvious implications — short-term and long-term ones, including in spheres and among groups at which state policy was not originally aimed (see above on "collateral repression"). The categories presented may overlap. In practice, this means that a victim of systemic discrimination may face several of the consequences listed below at once. This is precisely why, at the end of the section, we give examples showing, through specific cases, how different

consequences are layered on top of one another, including by aggravating the position of groups that are already vulnerable.

Not all categories of harm caused lend themselves to precise description or to a count of those affected. This does not mean, however, that they need not be named and taken into account — **both in devising measures to improve the existing situation and within future transitional justice efforts**. For some categories, established methodologies for counting those affected exist; for many others there are none as yet, but we consider it important to keep attention on how wide the circle of persons covered by the discriminatory policy is in these less obvious respects as well.

We also note that the categories below are not ranked by the severity of the consequences or of the harm caused.

An illustrative list of the manifestations and consequences of the state's systemic discriminatory policy

Brief version. *This diagram is intended to give a sense of the scale. More detail follows below.*

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
- torture
- loss of health
- inclusion on terrorist and extremist lists

Forced departure from the country and deportation

- forced departure from the country or forcible deportation, including without documents and/or to an armed conflict zone
- financial losses, psychological suffering and severed ties
- inability to obtain passports and other documents
- inability to carry out transactions with one's property
- abuse of Interpol search requests
- other transnational repression

Restrictions on labour rights

- politically motivated dismissals
- deprivation of access to a profession
- "blacklists" and bans on employment
- inability to find work again
- restrictions on career advancement
- deprivation of bonuses and merit-based pensions
- pressure at the workplace not only on employees but also on their loved ones

Restrictions on the right to education

- state monopolisation of education
- ideologisation, militarisation and censorship of education
- politically motivated expulsions and threats of expulsion
- discriminatory conditions of admission to educational institutions
- a ban on the profession for "disloyal" teachers and restrictions on tutoring
- discrimination against the Belarusian language and restrictions on the study of national minority languages
- designation of educational initiatives as "extremist formations"
- restrictions on academic mobility and international educational ties
- restricted access to foreign education

Financial burdens and restrictions

- disproportionate fines and financial losses for families
- arrest and confiscation of property
- compulsory payments to the state for making donations
- pressure on business up to its complete loss
- financial restrictions arising from repressive statuses

Arbitrary administrative practices violating a range of rights, including the right to privacy and the right to liberty and security of person

- surveillance and monitoring
- discriminatory supervision of former political prisoners
- arbitrary collection and use of personal data
- monitoring of financial transactions
- arbitrary border checks
- blocking of internet resources

An illustrative list of the manifestations and consequences of the state's systemic discriminatory policy

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 that may amount to torture or ill-treatment, and other forms of pressure;
- deterioration of health and severe suffering for loved ones — particularly where a person has been held incommunicado;
- inclusion on the lists of persons "involved in extremist" and "involved in terrorist" activity, which itself gives rise to further serious restrictions (see Diagram 1b).

Forced departure from the country and deportation

This covers both people forcibly removed from Belarus against their will, and those compelled to decide to leave because of the risk of political persecution. Both groups face psychological distress and serious problems with documents. Those forcibly removed are the most vulnerable group, since in a number of cases they have had to leave the country with no documents whatsoever, no opportunity to say goodbye to loved ones, and no say in the decision to leave, or in the choice of the country to which they were taken. Since some political prisoners were forcibly removed to Ukraine, where hostilities are ongoing, they were also exposed to a direct risk to life and health.

Beyond the severe psychological, financial and other consequences inseparable from forced emigration, people abroad more generally face constantly

expanding practices of discriminatory treatment aimed specifically at those who have left — including practices now enshrined in legislation, such as:

- the serious consequences of the "passport" decree, which has deprived Belarusians abroad of the ability to renew or obtain documents essential to the exercise of basic rights, including passports (an invalid passport risks leaving a person effectively stateless), and to carry out transactions involving property they have left behind in Belarus, and has restricted their ability to marry, among other consequences;
- a range of other barriers to exercising their rights from abroad, including the inability to exercise the right to a fair trial; the extension to those who have left of "not employed in the economy" status, with all the consequences of discriminatory "social parasitism" regulation; and a deliberate trend towards withdrawing social support (the termination of survivor's and child benefits, which cannot be accessed from abroad because of administrative requirements that cannot be met there);
- an extensive array of transnational repression tools, with severe consequences for those forced to leave the country themselves, as well as for their relatives and their property remaining in Belarus.

Restrictions on labour rights

A separate, important component of the systematic campaign to suppress dissent is the arbitrary restriction of labour rights. In this category, it is important to bear in mind both **the covert nature of these repressive practices and the difficulty of counting those affected**: enforcement actors choose formally "non-political" grounds for dismissal (pressuring someone into resigning "of their own accord", or simply not renewing a contract), which makes it difficult to establish the real reason for dismissal. Nevertheless, several independent professional associations keep their own, approximate count of politically motivated dismissals within their fields. The full scale of what is happening has yet to be established, but the practice of violating labour rights remains, in itself, systematic and widespread. Systemic discriminatory practices in the sphere of labour include:

- mass dismissals, drawn out over time and occurring across many fields, together with other forms of exclusion from a profession — through the

revocation of licences, the withholding of certification, the liquidation of organisations, or turning an activity itself (human rights defence, for instance) into something effectively subject to criminal liability; the keeping of "blacklists"; and restricted access to the public sphere and to an audience for people working in culture;
- in many cases, the practical impossibility of finding new employment, owing to a combination of pressure on employers and the creation of conditions conducive to discrimination: security officers interfering in personnel decisions; the requirement to provide a character reference from a previous employer reflecting one's attitude towards state and public institutions; formal and informal bans on hiring "unreliable" individuals; and the fact that former political prisoners bearing "extremist" or "terrorist" status effectively cannot find work at all, particularly in highly skilled positions;
- other discriminatory practices in the workplace and in connection with professional activity: restricted opportunities for career advancement; the withholding of bonuses and merit-based pensions; the use of explanatory statements demanded by employers as leverage for blackmail; the monitoring of employees' children and other relatives; and surveillance of, and pressure over, travel abroad to "unfriendly countries".

Restrictions on the right to education

The right to education is violated at every level and in every sphere — from kindergartens to universities, including informal education. Given the ideological importance of this sphere, the authorities seek not merely to exclude "unreliable" specialists and organisations from it, but to bring it under control altogether.

First, the state is monopolising the sphere of education, thereby creating the conditions for discrimination, through:

- the licensing of educational activity;
- a ban on individual entrepreneurs providing pre-school and special-needs education programmes;
- the forced closure of private kindergartens, schools and universities;
- a ban on distance learning at foreign schools for children living in Belarus, among other measures.

Alongside this monopolisation, the state is ideologising and militarising education, depriving students and their parents of any freedom to choose the form or content of educational programmes.

Second, among the directly discriminatory conditions and practices in education are:

- mass expulsions from universities on political grounds, and threats of expulsion from school;
- the creation of conditions that formalise discrimination in access to educational services, including mandatory character references required for university admission, reflecting one's "attitude towards state and public institutions, and the constitutional order";
- professional ban for teaching staff convicted under "political articles" (see section 6 above);
- censorship of curriculum content and of educational activity more broadly;
- the destruction of opportunities to study national minority languages (Polish, Lithuanian, Ukrainian);
- systemic discrimination against the Belarusian language in education;
- the designation of educational initiatives as "extremist formations," with cascading consequences for students, teachers, staff, and anyone connected with such initiatives in any way;
- restrictions on academic mobility and contact with the international academic community, including a mandatory requirement to obtain approval — on pain of a fine — before taking part in international competitions and olympiads; cases of the authorities tracking apostille requests and refusing to issue duplicate education certificates; and a requirement to commit to returning to Belarus, together with an assessment of "moral character," as a condition for participation in quota-based study-abroad programmes — among other practices.

$ Financial burdens and restrictions

Among the large number of arbitrary financial burdens and restrictions forming part of the discriminatory policy, the following can be highlighted:

- exorbitant fines, out of all proportion to the offence, which become a heavy burden for political prisoners and their families; the loss of a breadwinner in the case of families of political prisoners who died in custody; and, for the

families of political prisoners more generally, loss of income and additional expenses;

- the extralegal extraction, from persons who showed financial solidarity with those repressed or with Ukraine, of sums many times greater than the original donation ("voluntary" contributions for purposes determined by the authorities), in exchange for a decision not to open a politically motivated criminal case — with no guarantee that the person will not be prosecuted regardless;
- the seizure and confiscation of property belonging to political prisoners and to those forced to emigrate;
- obstacles placed in the way of running a business (revocation of licences, arbitrary inspections, and other forms of pressure), up to and including the complete loss of the business;
- having "extremist" and "terrorist" status entails serious restrictions on people's financial capacity, both while they are held in places of detention (they cannot even buy goods at the prison shop with money sent by relatives) and after their release: beyond the fact that their financial transactions are subject to special monitoring, people face difficulties opening bank accounts, concluding transactions, and so on.

Arbitrary administrative practices violating a range of rights, including the right to privacy and the right to liberty and security of person

This category encompasses a vast number of administrative practices involving violations of the right to privacy, including surveillance; the arbitrary handling of people's personal data (including the maintenance of databases on an *ad hoc* basis, with access granted to a wide range of actors); discriminatory conditions of supervision imposed on former political prisoners; the monitoring of financial transactions; arbitrary, and at times degrading, border checks; the blocking of internet resources; mandatory fingerprinting for Belarusians holding foreign residence permits or foreign citizenship; and so on.

What This Looks Like in Practice

- A: deprivation of liberty
- B: discriminatory conditions of detention
- C: job loss and professional bans
- D: financial burdens and losses
- E: deportation / forced departure
- F: administrative pressure
- collateral harm



Child of parents who were forced to leave

At a minimum:

He is not himself a direct target of repression. But if his parents are afraid to return to Belarus to apply for a passport, the family may be unable to regularise the status of a child born abroad.



Former political prisoner on the “extremist” list

At a minimum:

All the consequences of unjust criminal prosecution apply to him. After release, besides administrative and other difficulties that come with the degrading conditions of preventive supervision, he may be refused a bank account and struggle to complete transactions. His status automatically bars him from at least eight professions and makes it hard to find work in general.



Person with a foreign residence permit

At a minimum:

At risk of additional scrutiny at the border and of pressure, including at work and on relatives. May face restrictions on access to certain professions and the civil service, is restricted in the right to stand for election, and must be fingerprinted solely because of a legal link to a foreign state.



Cultural figure (e.g. a musician) on “blacklists”

At a minimum:

Loses the ability to earn a living from their profession, along with professional opportunities and access to an audience. Risks being added to an “extremist” list and having their work classified as “extremist”, which would restrict public access to it even online. May leave the country, unable to pursue their career or exercise their rights.



Imprisoned woman pensioner with a disability

At a minimum:

The authorities put people through unfair trials and impose sentences out of all proportion to the alleged offence, with no regard for age or health. She faces the consequences of the discriminatory policy twice over, as a woman and as a person with a disability, enduring conditions of detention bordering on torture. For her, access to adequate medical care is often a matter of survival. Since the 2025 changes to the rules on paying pensions to convicted persons, her pension goes in full to the correctional facility where she is serving her sentence. This puts political prisoners who are pensioners at particular risk: the administration itself calculates and deducts the cost of her upkeep and other charges, leaving her with practically no control over her own money. Systemic political discrimination always makes already vulnerable groups even more vulnerable.

8 Conclusion: The Cost to Society

At present, **it is impossible to capture every practice and consequence** of the state's comprehensive discriminatory policy — not least because **each of the measures described above carries its own set of cascading consequences**, affecting even areas at which it was not originally directed. As a result, the harm caused extends beyond those directly affected — individuals and organisations — to the country as a whole. The time, resources and effort the state expends on building and sustaining a repressive system are diverted from the normal development of society. This means 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 the negative consequences of this discriminatory policy, one deserves particular attention: **the state of the legal system and legal culture**, which pay a heavy price for the state's attempts to lend a veneer of legality to systematic repression. Embedding repressive norms across a range of unrelated areas of legislation undermines its coherence as a system and **affects the quality of legal regulation as a whole**, including the parts of it that have nothing to do with "politics". A legal system distorted in this way shapes a distorted legal culture in turn, normalising a new reality in which it is acceptable to publicly deny "undesirables" basic equality before the law. The consequences of this are especially serious for the next generation of lawyers, for legal education, and for the profession as a whole: it is lawyers, above all, who determine how the norms by which society lives are formulated and applied, and what its legal culture is. Legal education grounded in rule by law rather than the rule of law — without respect for the spirit of the law or the country's international obligations — was a problem even before 2020. But raising the next generation of lawyers **within a "new normality" that tolerates violence and lawlessness at the level of the state** itself risks far more damaging long-term consequences, not least during the transitional period.

It is also important to bear in mind the social dimension of any discrimination, and the especially severe, long-term consequences of systemic discrimination in particular — which, in our case, with respect to certain practices and violations, reaches the scale of crimes against humanity. We must, in any case, keep the following in mind: if what is happening in Belarus is, in certain respects, characterised as a crime against humanity, then a discriminatory attack on a particular group is taking place in the country — one that is, in our case, both widespread and systematic.

Beyond its legal consequences, this attack also has social ones, with which the country will have to reckon during the transitional period, and probably for a long time afterwards — in particular, **a division of society between those who were repressed and those who did the repressing**. Whether transitional justice will be able to offset, or even mitigate to any degree, the irreversibly grave consequences of what is happening now remains an open question.

In any event, the concept of systemic political discrimination, together with the illustrative list of discriminatory practices and their consequences set out above, allows the questions of transitional justice to be approached with greater attention to the real circle of victims of repression and to the root causes of what is happening. This is especially relevant to all the core components of transitional justice: truth-telling, justice (including accountability), reparation, memorialisation, and guarantees of non-recurrence. Understanding the nature of systemic discrimination, and the mechanisms that have all along allowed serious human rights violations to be carried out and reproduced on such a wide scale and with such regularity, makes it possible to take into account violations of social, economic and cultural rights as well — violations easily forgotten during a transitional period that tends to focus first on civil and political ones. This is also important for setting in motion a deeper reflection on the causes of what is happening, and on the measures that must be taken before guarantees of non-recurrence can be spoken of in any serious sense.

Notes

dissenters

> On the (interchangeable) terms “dissent”, “unreliability” and “disloyalty” as used in this text:
>
> These terms do not refer to any particular political direction, left or right. In the present situation, almost anyone in Belarus whose position diverges in any way from the state’s authoritarian course, in virtually any of its manifestations, from strictly political questions to views on historical memory and the environmental agenda, may be deemed a dissenter or unreliable. This is precisely why the category of “dissenters” includes human rights defenders, environmental activists and other people and groups whose activity is formally unrelated to politics.
>
> Moreover, a person need not actually hold a “prohibited” opinion: the state may simply impute such views to them on the basis of an arbitrary set of external markers (see below).

← Back to text (p. 4)

protected characteristic

> Protected characteristics include: sex, race, colour, national, ethnic and social origin, language, religion, political or other opinion, membership or non-membership of trade unions or other public associations, family, property or employment status, age, health status, HIV status, place of residence, disability, sexual orientation, gender identity, trans status, and other circumstances or status, whether actual or perceived.

← Back to text (p. 9)

legitimate aim

> Legitimate aims, and differential treatment appropriate to achieving them, may include ensuring the quality and safety of the work performed (and special requirements for candidates for particular posts); protecting national security (where, again, this does not conflict with the state’s human rights obligations: for this purpose, for example, persons holding foreign citizenship are, as a rule, not admitted to the civil service); the social protection of certain vulnerable groups (and, accordingly, the establishment of special benefits for them); and so on.

← Back to text (p. 9)

comparison and equation

> See the teaching aid for grades 10–11, “Genocide of the Belarusian People” (2023), pp. 40–41.

← Back to text (p. 14)

referred to the Office by Lithuania

> In September 2024, Lithuania, exercising its right as a State Party to the Rome Statute, submitted a formal referral to the Prosecutor requesting an investigation into alleged crimes against humanity in Belarus. It argued that some elements of these crimes (in particular, deportation) had been committed on Lithuania’s own territory, which gives the International Criminal Court a basis for jurisdiction even though Belarus is not a party to the Rome Statute: https://www.icc-cpi.int/lithuania-belarus

← Back to text (p. 15)

crimes of an extremist nature

> In practice, this category has become a mirror image of the human rights concept of a “political prisoner”. Although the state consistently denies that such a category of persons exists at all, the whole body of grounds used in practice for political persecution fits virtually entirely within the concept of “crimes of an extremist nature”.

← Back to text (p. 22)

scientific, educational, cultural and other spheres

> Directive No. 12 expressly provides that education, culture, science, sport, ethno-confessional relations, and family, youth, information and historical policy are “priority spheres in which ideological work is under the special control of the state”.

← Back to text (p. 27)

“signals”

> For example: subscribing to an opposition resource, volunteering for a human rights organisation, expressing solidarity with political prisoners, a long absence from the country since 2020 (treated as an automatic ground for additional checks at the border), and dozens of others.

← Back to text (p. 28)

NOTES

the ability to navigate

> Propaganda (including information disseminated on the official websites of local authorities) asserts, for example, that checking the "correct orientation" of one's own posts and subscriptions is the personal responsibility of every individual: https://ivanovo.brest-region.gov.by/ru/2013-08-21-05-30-36-817-ru/view/pamjatka-o-pravonarushenijax-ekstremistskoj-napravlennosti-i-otvetstvennosti-za-ix-sovershenie-2000005903

← Back to text (p. 28)

acceptable to publicly deny

> See a recent statement: "… the law on citizens' appeals does not apply to enemies of the people." https://news.zerkalo.io/economics/134296.html

← Back to text (p. 41)

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