



## **Monitoring of the situation with freedom of association and the status of civil society organizations in the Republic of Belarus**

**April 2024**

Almost every day in Belarus, searches, detentions, calls for “conversations”, initiation of administrative and criminal cases, including initiation of criminal cases in connection with donations to solidarity funds and other structures, and assistance to political prisoners and their families continue to occur. Legislation on special (absentee) proceedings and countering extremism is actively used towards public activists and representatives of CSOs. The resources of civil society organizations and initiatives, including those located abroad, are recognized as extremist materials, and the structures themselves are recognized as extremist formations.

The number of forcibly liquidated non-governmental organizations has crossed the mark of one thousand and at the end of April 2024 amounts to at least 1003 non-governmental organizations (NGOs). As of the end of April 2024, the number of organizations that decided on self-liquidation is at least 619. Consequently, the losses in Belarus's civil sector since the post-election period of 2020 amount to no less than 1.622 institutionalized forms of NGOs, including civic associations, professional unions, political parties, foundations, non-governmental institutions, associations, and religious organizations.

### **Forced liquidation of non-governmental organizations<sup>1</sup>, decreasing number of public associations with republican status**

The process of liquidation of NGOs has slowed down a bit. However, in total, as of April 30, 2024, according to [the monitoring conducted by Lawtrend](#), there have been 1003 NGOs in the process of forced liquidation, including lawsuits filed by registering authorities for liquidation or being forcibly excluded from the Unified State Register of Legal Entities and Individual Entrepreneurs (USR).

### **Non-governmental organizations deciding on self-liquidation**

NGOs continue to decide on self-liquidation, but the activity of this process does not decrease. As of April 30, 2024, according to [the monitoring conducted by Lawtrend](#), there have

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<sup>1</sup> The monitoring only records cases of forced liquidation and self-liquidation of non-governmental organizations (NGOs), and quantitative data does not include government institutions or republican state-public organizations. Consumer cooperatives and other organizational and legal forms of NGOs besides public associations, foundations, private institutions, religious organizations, and associations are also not taken into account.

been 619 NGOs (civil associations, foundations, institutions, and political parties) in which the authorized body or founders have decided to liquidate.

Among the NGOs that decided to self-liquidate are sports, professional public associations, a gerontological public association and a consumer association. The decision to self-liquidate was also made by the Information and Analytical Institution “Round Table of Democratic Forces”, created at the end of 2020 as an “operator of national socio-political dialogue from the opposition.” In 2021-2022, the institution actively organized events within the framework of constitutional reform, its head was actively involved in propaganda programs, videos, and interviews.

As before, the decision on self-liquidation is primarily due to pressure on the members and employees of NGOs, an unfavourable legal environment, and the overall socio-political situation in the country. The practice of putting pressure on specific NGOs by authorities to make an independent decision on liquidation continues.

### **The usage of anti-extremism legislation as a form of pressure on CSOs**

[Materials classified as extremist include accounts](#) such as the pages of the «Фонд Страна для Жизни» (“Country for Life Fund”) on Facebook, an account on TikTok under the names “baj.media”, accounts called “viasna96”, “polityvazynka (Палітвязынка)” on Tik-Tok, chat bots “@viasna\_bot”, “@ViasnaSOS”, “@Viasnainfo” and “@zvarot96” on Telegram, Telegram channel «Адвокаты прав человека» (“Human Rights Lawyers”), Instagram account “v.pashtouki”.

By decisions of the KGB, the initiative “politzek.me”, the Belarusian Medical Solidarity Foundation, as well as the “Polish structural unit “White Coats” [were recognized as “extremist formations”](#).

Criminal prosecution continues for money transfers to solidarity funds, as well as assistance to political prisoners and their families. Thus, [according to the Investigative Committee](#), a resident of Brest (Natalia Malets) has been charged under Part 1 of Article 361-4 (promoting extremist activities) of the Criminal Code of the Republic of Belarus for making at least 125 postal money transfers to at least 114 persons for an amount of more than 1.5 thousand rubles. At the same time, transfers were carried out, according to the Investigative Committee, “exclusively to persons who committed crimes of an extremist nature.”

[According to the General Prosecutor's Office](#), a criminal case against 20 members of the so-called extremist formation “Analysts of Sviatlana Tikhonouskaya” has been sent to court. Special proceedings are being carried out against all accused. According to the case materials, all of them are accused of committing “crimes of an extremist nature,” including participation in an extremist formation and joining such a formation with the purpose of committing an extremist crime (Part 3 of Article 361-1 of the Criminal Code).

**Administrative and criminal prosecution of the leadership and members of civil society organizations, and activists.**

Due to the performance of their professional activities, human rights defenders continue to serve prison sentences:

- the coordinator of Viasna Volunteer Service **Marfa Rabkova** (sentenced to 14 years and 9 months in a general regime colony, listed as involved in terrorist and extremist activities);
- Viasna volunteer **Andrey Chapiuk** (sentenced to 5 years and 9 months in a medium security prison, listed as involved in terrorist and extremist activities);
- Viasna chairman and Nobel laureate **Ales Bialiatski** (listed as involved in extremist activities, sentenced to 10 years of imprisonment in a colony under high security conditions);
- Viasna Board member and FIDH Vice-President **Valiantsin Stefanovich** (listed as involved in extremist activities, sentenced to 9 years of imprisonment in a colony under high security conditions);
- Lawyer, coordinator of the campaign "Human Rights Defenders for Free Elections", **Uladzimir Labkovich** (listed as involved in extremist activities, sentenced to 7 years of imprisonment in a colony under high security conditions);
- human rights defender **Nasta (Anastasiya) Loika** (included in the list of persons involved in terrorist and extremist activities; sentenced to 7 years of imprisonment in a correctional colony of the general regime).

In places of deprivation of liberty, other representatives of civil society organizations continue being held, for example,

- members of the Coordination Council **Maxim Znak** (included in the list of individuals involved in terrorist activities, sentenced to 10 years of imprisonment), **Marya Kalesnikava** (included in the list of individuals involved in terrorist activities, sentenced to 11 years of imprisonment),
- public figure, founder of the "Flying University" **Uladzimir Matskevich** (included in the list of individuals involved in extremist activities, sentenced to 5 years of imprisonment),
- expert of the analytical group of the Agency for Humanitarian Technologies, coordinator of the "Flying University," senior analyst at the Center for European Transformation **Tatsiana Vadalazhskaya** (included in the list of individuals involved in extremist activities, sentenced to 2 years and 6 months of restricted freedom with placement in an open-type correctional facility ("chemistry")),
- member of the Council and co-founder of the School of Young Public Administration Managers Sympa, expert of the research project bipart **Tatsiana Kuzina** (included in the list of individuals involved in terrorist and extremist activities, sentenced to 10 years of imprisonment),
- founder and editor of the expert community website "Our Opinion," head of the expert monitoring group "Belarus in Focus" **Valeryia Kastsiohova** (included in the list of individuals involved in extremist activities, sentenced to 10 years of imprisonment),

- founder of Symbal.by, **Pavel Belavus** (included in the lists of individuals involved in terrorist and extremist activities and sentenced to 13 years in a high-security correctional facility),
- Art manager **Uladzimir Bulauski** (included in the list of individuals involved in extremist activities and sentenced to 2 years in a general regime colony),
- former leader of the crowdfunding platforms Ulej and MolaMola, **Eduard Babaryka** (included in the list of individuals involved in extremist and terrorist activities, sentenced to 8 years in a high-security colony),
- **Pavel Mazheika**, a cultural figure and Hrodna activist who headed the "City Life Center" (sentenced to 6 years of imprisonment in a high-security colony, included in the list of individuals involved in extremist activities).

According to Solidarity, an organization of trade union leaders and activists who were forced to leave Belarus, currently, there are 42 trade union activists and leaders of democratic trade unions imprisoned in Belarus. Thus, leaders and activists of Belarusian independent trade unions are being held in places of detention:

- **Aliaksandr Yarashuk**, Chairman of the Belarusian Congress of Democratic Trade Unions (sentenced to 4 years of imprisonment, included in the list of individuals involved in extremist activities).
- **Andrey Khanevich**, Chairman of the primary organization of the Belarusian Independent Trade Union at OJSC "Hrodna Azot" (included in the list of individuals involved in extremist activities, sentenced to 5 years of imprisonment).
- **Aliaksandr Mishuk**, Chairman of the Independent Trade Union at "Belaruskali" (included in the list of individuals involved in terrorist activities and extremist activities, sentenced to 2 years and 6 months of imprisonment).
- **Henadz Fiadynich**, Head of the Independent Trade Union of Radioelectronics Industry Workers (sentenced to 9 years of imprisonment in high-security conditions, included in the list of individuals involved in extremist activities).
- **Vasil Berasnieu**, Leader of the Orsha Independent Trade Union of Radioelectronics Industry Workers, acting Chairman of the Trade Union of Radioelectronics Industry Workers (sentenced to 9 years of imprisonment in high-security conditions, included in the list of individuals involved in extremist activities). Vasil has serious health problems.
- **Vatslau Areshka**, Activist of the Trade Union of Radioelectronics Industry Workers (sentenced to 8 years of imprisonment, included in the list of individuals involved in extremist activities).
- **Artsiom Zharnak**, Chairman of the primary trade union organization of the Free Metalworkers Union at MAZ (included in the list of individuals involved in terrorist activities, sentenced to 4 years of imprisonment).
- **Maksim Senik**, Activist of the Belarusian Independent Trade Union at OJSC "Hrodna Azot" (sentenced to 4 years of imprisonment).

**Mikhail Hromau**, Secretary of the liquidated Free Metalworkers Union was sentenced to 2 years and 6 months of restricted freedom without placement in an open-type correctional facility (probation / "home chemistry").

**Vital Chychmarou**, Head of the primary trade union organization of the Free Metalworkers Union was sentenced to 3 years of restricted freedom without placement in an open-type correctional facility (probation / "home chemistry").

Having fully served his sentence, the co-chairman of the association "Tell the Truth", and former presidential candidate **Andrey Dzmitryeu** (included in the list of individuals involved in extremist activities, sentenced to 1.5 years in a colony) was released.

Work is actively underway to bring people to criminal liability within the framework of special (absentee) proceedings. For further details, please see [the List of persons against whom special proceedings have been initiated and who have been summoned to the criminal prosecution authority](#).

### **Organizations of certain areas of activity: general situation, introduction of additional restrictions**

In addition to reducing the number of legal entities of certain organizational and legal forms (public associations, political parties, religious organizations) by establishing requirements for mandatory registration of changes and additions to charters, re-registration in Belarus, in recent years there is the practice of reducing the number of legal entities of certain areas of activity through the introduction of additional requirements for them.

Thus, until July 1, 2023, by the Decree of the President of the Republic of Belarus dated October 4, 2022 No. 351 "On the development of agroecotourism," which regulates activities in this area, all existing agricultural estates were required to obtain a decision from the district executive committee on the implementation of activities to provide services in the field of agritourism. As a result, more than 50% of agricultural estates did not receive the appropriate decision (they did not apply for re-registration).

According to the Resolution of the Council of Ministers of the Republic, Belarus dated June 22, 2022 No. 401 "On the register of organizers of cultural and entertainment events," legal entities organizing cultural and entertainment events must be included in the appropriate register.

[Resolution of the Council of Ministers of the Republic of Belarus dated December 28, 2023 No. 958 "On amending the Resolution of the Council of Ministers of the Republic of Belarus dated August 11, 2012 No. 745"](#) adjusts the procedure for conducting certification of an employee of a public consumer association.

On January 1, 2024, amendments to [the Law of the Republic of Belarus dated January 4, 2014, No. 125-3 "On Physical Culture and Sports"](#) came into force, according to which activities for the development of physical culture and sports without state accreditation are considered illegal business activities and are subject to administrative responsibility. Thus, existing legal entities, including NGOs, had to obtain a certificate of state accreditation until January 1, 2024.

In total, about 2,600 organizations, including NGOs, and individual entrepreneurs had to receive state accreditation for the right to carry out activities for the development of physical culture and sports. According to the Ministry of Sports and Tourism, as of January 1, 2024, only 65% of physical culture and sports organizations and individual entrepreneurs involved in this area received state accreditation (at that time it was reported that documents of approximately 700 more entities were being reviewed, however, there was no more information about passing state accreditation process in this sphere).

In addition to special requirements in the field of physical culture and sports, the legislation imposes requirements for passing accreditation and other matters, for example, that a coach has a specialized education. Thus, it has been determined that the head, deputy head of an organization that has applied for the appropriate state accreditation, and individuals planning to carry out teaching activities in this organization in the field of physical culture and sports should not be held accountable for disrespectful attitude towards state and public institutions, including state symbols of the Republic of Belarus, the constitutional system, as well as illegal acts against the order of government, public order and public morality.

This norm was the basis for the refusal of state accreditation of several organizations. Thus, by the decision of the Homiel City Executive Committee, the Homiel sports public association Judo Club “Pride” was denied state accreditation due to non-compliance with the above criteria (the head of the organization was subject to administrative arrest for participating in an unauthorized event).

It should be noted that the largest number of NGOs that remain registered in Belarus are physical education and sports organizations. Thus, out of about 1,693 public associations registered in Belarus as of the end of April 2024 and not in the process of liquidation, 589 are sports-oriented associations. At the same time, these organizations are also subject to both forced liquidation and self-liquidation. Compared to the beginning of 2024, there are at least 86 fewer sports public associations registered.

A criminal case has been initiated against the head of one of the sports public associations. According to the State Control Committee, employees of the Department of Financial Investigations of the State Control Committee for the Brest Region established that, on the initiative of the head of that sports public association, more than 50 former and current employees (trainers) registered as individual entrepreneurs and continued to teach children gymnastics, not as employees, but as entrepreneurs. Accordingly, no deductions were made from their remuneration to the Social Protection Fund. For three years, wages were paid under the guise of business income for over 4 million rubles, from which insurance contributions to the Social Security Fund for more than 1.4 million rubles were not paid.