



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

July 2024

The repression of civil society organizations and activists in Belarus doesn't stop. Regular searches and detentions in the country, and trials against activists, and cases of detention of people returning to Belarus from abroad are recorded. Legislation on countering extremism continues to be actively used to suppress civil activism. The prosecution of activists who were forced to leave Belarus to abroad continues: the usual practice has been received by courts in the form of special (absentee) proceedings, the auctioning of confiscated property.

The campaign to liquidate non-governmental organizations continues. As of the end of July 2024, it amounts to at least 1.086 NGOs. As of the end of July 2024, the number of organizations that decided on self-liquidation has decreased yet is at least 656. Consequently, the losses in Belarus's civil sector since the post-election period in 2020 amount to no less than 1.742 institutionalized forms of NGOs (including civic associations, professional unions, political parties, foundations, non-governmental institutions, associations, and religious organizations).

Licensing for activities for social services with the accommodation provision has been introduced since July 1. This is one of several activities traditionally carried out, including by non-profit organizations, the implementation of which is limited in 2023-2024 by the introduction of additional requirements.

Forced liquidation of non-governmental organizations

The wave of liquidation of NGOs doesn't stop. As in the previous monitoring period, the liquidation is primarily subject to republican public associations registered with the Ministry of Justice and not fulfilling the new requirements of the legislation for associations of republican status on the need to have organizational structures in all regions of Belarus and the city of Minsk. Public associations whose statutes didn't provide for such structures had to amend them by March 4 of the current year. A few public associations of republican status have decided to self-liquidate, some have changed their status from republican to local (in most cases) or international.

As of the end of July 2024, the Unified State Register of Legal Entities and Individual Entrepreneurs (USR) did not include information on bringing the statutes of most republican public associations under the new requirements of the law. In connection with this, in the coming months, the campaign to liquidate public associations may be very intensive. It is interesting that among those registered in the USR until now, there are public associations that approved their statutes and made changes to them even before 2005 when the legally established obligation to change the

statute was introduced for almost all public associations. The absolute majority of such public associations are not currently active. This situation affects the statistics of NGOs registered in Belarus in the direction of overstating their number.

The fact of the forced liquidation of a non-state institution – the Cultural and Educational Institution "Ecumena Center", which carries out activities in the field of freedom of conscience, including the analysis of legislation in the field of religious politics, was recorded. Cases of forced liquidation of non-state institutions in the last year are rare and have a selective nature.

In total, as of July 31, 2024, according to [the monitoring conducted by Lawtrend](#)¹, there have been 1086 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

As of July 31, 2024, according to [the monitoring conducted by Lawtrend](#), there have been 656 NGOs (civil associations, foundations, institutions, and political parties) in which the authorized body or founders have decided to liquidate. This is 20 organizations more than in the previous monitoring period. The decision on the independent liquidation of such organizations was made both during the monitoring period and earlier.

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.

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

In connection with the performance of their professional activities, participation in civil society organizations, and the manifestation of civic activism, 6 human rights defenders, dozens of representatives of civil society organizations, and religious organizations, and 38 representatives of trade unions and the labor movement continue to serve prison sentences².

Pressure on representatives of religious organizations continues.

A criminal case has been initiated against Andzhej Yukhnievich, a Catholic priest, and rector of the Roman Catholic parish in Shumilina, the sanctuary of Our Lady of Fatima. The priest was transferred to the pre-trial detention center from Viciebsk temporary detention facility, where he served 45 days of administrative arrest. A criminal case has been initiated against Dzmitry

¹ 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. Religious organizations, consumer cooperatives, and other organizational and legal forms of NGOs besides public associations, foundations, private institutions, and associations are also not taken into account.

² Examples of representatives of civil society organizations in prison with terms of imprisonment, and information about being included in extremist and/or terrorist lists can be found in Lawtrend's monthly reviews of the situation with freedom of association and the situation of civil society organizations, for example, [for May 2024](#).

Karneenka, a member of the "Christian Vision" group, who left Belarus in 2021 under Art. 361-4 of the Criminal Code (assistance in extremist activities).

The ex-head of crowdfunding platforms Ulej and MolaMola, Eduard Babaryka, was additionally sentenced to 2 years of imprisonment under part 2 of Art. 411 of the Criminal Code (malicious disobedience of the colony administration). Earlier, Eduard was sentenced to 8 years of imprisonment in a colony under a strict regime. Thus, the total term is 10 years of imprisonment. Eduard is included in the list of persons involved in terrorist and extremist activities. The property owned by Eduard Babaryka - a Suzuki VX 800 motorcycle and a Mercedes-Benz GLC 300 car - is up for auction.

The authorities continued active demands to suppress the civil activity of Belarusians who were forced to leave the country. For these purposes, criminal legislation on special (absentee) proceedings is widely used. At the end of July 2024, 110 people were included in the [List of persons against whom special proceedings have been initiated and summoned to the criminal prosecution authority](#). It is characteristic that this document, aimed, among other things, at informing people who are not in Belarus, cannot be opened from abroad.

On July 1, a verdict was handed down in the so-called criminal case against the "analysts of Sviatlana Tsikhanouskaya", whose trial was conducted in the order of special proceedings. 20 people in this case: Aliaksandr Dabravolsky, Ryhor Astapenia, Philipp Bikanau, Yury Drakahrust, Andrey Kazakevich, Hanna Krasulina, Yauheni Kryzhanousky, Dzianis Kuchynski, Veranika Laputskaya, Aliaksandr Lahvinets, Hanna Lyubakova, Vasil Naumau, Marya Rohava, Petr Rudkouski, Alesia Rudnik, Natallia Ryabava, Pavel Usau, Tatsiana Chulitskaya, Aliaksandr Shlyk, Ekatsiaryna Shmatsina were sentenced to terms of 10 to 11.5 years, including fines from 1,000 to 40,000 basic values. Among the articles on which the analysts were tried, participation in an extremist formation and membership of such formation in order to commit a crime of extremist orientation (Part 3 of Article 361-1 of the Criminal Code), and Aliaksandr Dabravolsky is also accused of leading an extremist formation (Part 1 of Article 361-1 of the Criminal Code).

On July 1, as part of a special proceeding, the consideration of the criminal case against Volha Vialichka, the former head of the Public Charitable Organization "Hrodna Children's Hospice", forcibly liquidated in August 2021, began. Volha is charged under seven articles, including Article 193-1 (unlawful organization of activities of a public association, religious organization or foundation or participation in their activities). This is the first known trial on this article, after its return to the Criminal Code in 2022³. Among the articles Volha is accused of, are also Part 3 Art. 210 of the Criminal Code (theft by abuse of official powers); Part 3 of Art. 203-1 (unlawful actions regarding information about private life and personal data). [The prosecution stated](#) that in 2018, the woman stole money transferred to the Hrodna Children's Hospice by organizations and enterprises of the region in the form of sponsorship. More than 6 thousand rubles of collected funds were intended for the purchase of a ventilator for a sick child. Also, an inspection by the prosecutor's office of the Hrodna region showed that from September 2021 to April 2022,

³ A similar Article 193-1 was excluded from the Criminal Code of the Republic of Belarus in 2019 and re-included in it in January 2022.

about 50 operations for at least 160,000 rubles were carried out on account of the organization. This made it possible to conclude that the public association functioned under the remote leadership of the director, who was wanted on charges of theft of property.

On July 29, the Hrodna Regional Court began hearing the criminal case against human rights activist Uladzimir Khilmanovich in a special proceeding. Uladzimir is accused under two articles of the Criminal Code: Part 3 of Article 361-1 (creation of an extremist group or participation in it) and Parts 1 and 2 of Article 361-4 (assistance to extremist activity).

The Investigative Committee has started a special case against public figure Anton Matolka, who was previously included in the KGB terrorist list. The special case is based on several articles of the Criminal Code of Belarus, including parts 1 and 2 of Article 361-1 (creation of an extremist formation and leadership of such a formation, including repeated offences); part 2 of Article 361-2 (collection of other property by any means for the deliberate provision of extremist activity, committed by a group of persons by prior conspiracy).

[The list of persons participating in terrorist activities](#) has been expanded to include activists Volha and Andrey Pavuk, previously convicted under special proceedings, as well as the executive secretary of the Coordination Council Ivan Krautsou, and political scientist Dzmitry Balkunets.

Access limitations to websites of civil society organizations.

[As reported by the Prosecutor General's Office](#), by order of the prosecutor of the Mahileu region, access to the Internet resource "Belarusian People's Tribunal" (domain name is "tribunal.info") – an initiative created to express the opinion of the Belarusian people on the violation of human rights in the country – has been restricted.

Based on the decision of the Ministry of Information, the portal of the Christian project Katolik.life [has been blocked in Belarus](#). Previously, access to it was limited in the territory of the Russian Federation.

The use of legislation to combat extremism as a form of pressure on civil society organizations

In Belarus, for several years now, anti-extremism legislation has been actively used against civil activists and representatives of civil society organizations. Criminal prosecution continues for money transfers to solidarity funds, as well as assistance to political prisoners and their families.

During the monitoring period, [materials deemed extremist included](#), among others, the information products posted on the Internet pages of the community "Беларуская Дыяспара Беластока" (Belarusian Diaspora of Belastok), information products posted on the pages of the community "Объединенная Гражданская Партия – ОВП" (United Civil Party – UCP) on Facebook, information products posted on YouTube channel "Будзьма Беларусамі" (Let's be Belarusians) (@TheBudzma) posted in the public "Асацыяцыя Палітвязняў Беларусі" (Association of political prisoners of Belarus), website and social networks ОЕЕС (Office for European Expertise and Communication), Tik-Tok account "Латушка і рух "За Свабоду" (Latushka and the Movement for Freedom), Telegram channel "Одно окно. Помощь беларусам и

беларускам"(One contact. Help to Belarusians), Tik-Tok channel "legal_initiative_belarus", Telegram- channel "Инициатива ДАР" (Initiative GIFT).

Licensing of activities for the provision of social services.

The main provisions [of the Law of the Republic of Belarus dated 13.12.2023 No. 318-Z "On Amendments to Laws on Social Services and Social Payments"](#) came into force on July 1, 2024. The law amended 12 legislative acts, including 2 codes - the Housing Code and the Code on Marriage and Family. Among the most significant changes are amendments to [the Law of the Republic of Belarus dated 14.10.2022 No. 213-Z "On Licensing"](#). According to the amendments, a new type of licensed activity has been introduced in Belarus – social services in the form of inpatient social services.

A license will be required for non-governmental organizations, including non-profit organizations, as well as individual entrepreneurs providing such services. Licensing authorities are the Minsk City Executive Committee, city (cities of regional subordination), and district executive committees at the location of the social service facility. The deadline for obtaining a license is until October 1, 2024. After this date, activities to provide social services providing accommodation without a license are prohibited.

During 2023-2024, several mechanisms have been gradually and consistently introduced in Belarus to limit the opportunities for interested parties to carry out certain types of activities related to the provision of services. Although these regulations are not directly aimed at regulating CSOs, they apply to all legal entities and therefore affect the interests of CSOs, narrowing the possible range of activities available to them.

Along with the ordinary and justified by international standards areas of special regulation (for example, banking or medical services, alcohol sales), licensing or complex accreditation requirements are now being introduced in areas where it is not necessary and are in essence turning into a requirement to obtain government permission for activities common to CSOs and other entities – holding concerts, distributing printed publications, working as tour guides, operating rural tourist estates, etc⁴. Some of these licensing measures affect activities that are essential for CSO.

These mechanisms are sometimes formalized through the direct introduction of licensing for a certain type of activity. But in other cases, such mechanisms are formalized through veiled de facto licensing, when the conduct of certain types of activities requires the inclusion of an organization in a special list or register (even if such activity or service is provided to CSOs without charging a fee).

In total, about 40 areas and types of activities are subject to licensing in Belarus, but many other areas and types of activities require accreditation, certification, inclusion in a special register, etc., and the number of these types of restricted activities is growing, spreading to ever new areas, including those popular among CSOs. For example, in the summer of 2024, [the General Prosecutor's Office of Belarus took the initiative](#) to introduce a special register of organizers of children's recreation, which all children's camps will be required to be included in. This initiative

⁴ Please, see [Belarus | CSOMETER](#)

threatens the interests of many youth, and social and charitable CSOs, for which summer camps and summer schools are a popular method of working with juvenile audiences and other target groups⁵.

International reaction to the violation of freedom of association in Belarus.

[The annual report](#) submitted to the Human Rights Council by the Special Rapporteur on human rights in Belarus, Anaïs Marin, focuses primarily on the situation with the exercise of freedom of association in Belarus. The report, among other things, describes how repressive laws and policies are clearing out civic space, selectively eliminating grassroots civil society organizations, opposition political parties, independent trade unions, minority religious organizations, bar associations, cultural associations and online communities.

On July 18, the UN Working Group on Arbitrary Detention [published a document](#) in which it recognizes the detention of the founder of the human rights center "Viasna", Nobel Peace Prize laureate Ales Bialiatski as a violation of international law and demands his immediate and unconditional release, as well as the right to compensation and other reparations under international law.

⁵ For examples of restrictions on certain types of activities, see [the Lawtrend Review "The Situation with Freedom of Association and the Position of Civil Society Organizations" for April 2024](#).