

# Outlawing Human Rights Work in Belarus

*When the rights of human rights  
defenders are violated,  
all of our rights are put in jeopardy  
and all of us are made less safe.*

*Kofi Annan<sup>1</sup>*

This paper seeks to analyze the conditions in which human rights defenders have to function in the midst of the political and human rights crisis in Belarus. It analyzes the toolbox of repressive policies applied to silence human rights defenders and “punish” them for their work, providing examples of the individual and collective pressure Belarusian human rights defenders sustain.

The paper provides an overview for international audiences and seeks to spread awareness about the dire and dangerous human rights situation in Belarus.

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<sup>1</sup> United Nations General Assembly, Situation of human rights defenders, Note by the Secretary-General, A/73/215, 23 July 2018, para. 25.

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## INTRODUCTION

The logic behind political repression in Belarus is malicious, but uncomplicated. In an effort to silence any and all voices of dissent, state authorities attempt to jail every peaceful protester,<sup>2</sup> disbar every lawyer who has defended a political prisoner,<sup>3</sup> paint over any protest mural,<sup>4</sup> close down every business that has shown solidarity with the movement,<sup>5</sup> and block any independent media outlet distributing objective information.<sup>6</sup>

As the political and human rights crisis unfolded, before, during, and after the Belarusian presidential election in 2020,<sup>7</sup> many professional communities united, seeking to use their expertise to advance civil resistance goals — leading to these communities being attacked for their activism.<sup>8</sup>

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<sup>2</sup> Office of the High Commissioner for Human Rights, [Over the Past Year, More than 35,000 People Have Been Arbitrarily Detained in Belarus](#), Special Rapporteur on Belarus Tells Human Rights Council, 5 July 2021.

<sup>3</sup> RadioFreeEurope / RadioLiberty, [Rights Watchdog Slams Belarus's Politically Motivated Crackdown On Lawyers](#), 27 October 2021.

<sup>4</sup> Reuters, [“Square of Change”: a Belarus courtyard becomes an unlikely protest battleground](#), 5 October 2020.

<sup>5</sup> Reform.by, [Лукашенко бизнесу: Вас могут в этой политике исполосовать ни за что про-сто](#), 12 February 2021.

<sup>6</sup> Belarusian Association of Journalists, [Repressions against journalists in Belarus, 2021](#).

<sup>7</sup> World Justice Project, [Belarus: Rule of Law Dimensions of 2020 Presidential Elections](#), 18 August 2020.

<sup>8</sup> Deutsche Welle, [Amnesty International заявила о преследованиях медиков в Беларуси](#), 17 June 2021; TechCrunch, [PandaDoc employees arrested in Belarus after founders protest against Lukashenko regime](#), 5 September 2020, [Belarusian athletes take lead in battle for democracy](#), 23 October 2020.

Professional communities were targeted en masse, often during dedicated scheduled raids:

- on 18 May 2021, journalists' offices across the country were raided, and they were searched and detained.<sup>9</sup> 29 journalists remain behind bars;<sup>10</sup>
- on 14 July 2021, a series of coordinated raids and arrests of human rights defenders and civil society activists was conducted,<sup>11</sup> with 275 organizations being legally liquidated;<sup>12</sup>
- 58 % of IT startups, which Belarus was long famed for,<sup>13</sup> left Belarus;<sup>14</sup>
- at least 22 lawyers have been disbarred by Belarusian authorities on political grounds;<sup>15</sup>
- more than 55 cultural workers were put behind bars;<sup>16</sup>
- health workers are oppressed;<sup>17</sup>
- labor union members are threatened and detained, their offices and homes raided.<sup>18</sup>

All types of pressure on professional communities illustrate a worrying pattern of Belarusian authorities silencing activists within their respective professional communities. The pressure on human rights defenders is particularly worrying,

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<sup>9</sup> RadioFreeEurope / RadioLiberty, [Independent News Site In Belarus Raided As Crackdown Escalates](#), 18 May 2021.

<sup>10</sup> Belarusian Association of Journalists, [Repressions against journalists in Belarus, 2021](#).

<sup>11</sup> International Federation for Human Rights, [Belarus: Coordinated searches and detentions of journalists and human rights defenders](#), 14 July 2021.

<sup>12</sup> Reform.by, [275 организаций — правозащитники сообщили о масштабах ликвидации НКО](#), 2 October 2021.

<sup>13</sup> Deutsche Welle, [Belarus: Let a hundred startups bloom](#), 12 October 2018.

<sup>14</sup> Imaguru, [Сложный год: Год после августа 2020, 2021](#).

<sup>15</sup> Defenders.by, [Преследование адвокатов в Беларуси после выборов 2020 года, 2021](#).

<sup>16</sup> Belarusian Council for Culture.

<sup>17</sup> The Lancet, [Health workers in Belarus facing repression](#), 31 July 2021.

<sup>18</sup> International Trade Union Confederation, [Belarus: ILO and UN Human Rights Council speak out](#), 6 April 2021; International Labour Organization, [ILO calls on Belarus President to respect workers' rights and freedoms amid protests](#), 9 September 2020; Human Rights Center "Viasna," [Human rights groups call to release detained trade union activists](#), 28 September 2021.

since the crackdown is the equivalent to outlawing the entire human rights profession. In the logic of a repressive regime, it may be sufficient to intimidate only some doctors or factory workers to ensure that no opposition activists remain in the field, but the medical and industrial fields themselves remain essential for the state to operate.

However, human rights work is not even seen as necessary, let alone essential, by Belarusian authorities. On the contrary, the existence of a profession, the representatives of which are bound to question the government's policies when such policies threaten respect for human rights, is not welcomed by the Belarusian state. Human rights defenders are, by definition, a problem for an authoritarian state like Belarus. When the perceived threat human rights defenders present to such a state outweighs the reputational value of performatively tolerating "social justice warriors", the state does not hesitate to crack down on the profession as a whole. Human rights defenders were never completely safe in Belarus — however, after August 2020, the dire situation escalated to reach this current, critical point.

Human rights defenders are not exhaustively defined in international law and may include both those employed by human rights organizations in a narrow sense and those "who ... act[s] to promote or protect human rights in a peaceful manner".<sup>19</sup> Indeed, "what is most important in characterizing a person as a human rights defender is not the person's title or the name of the organization he or she works for, but rather the human rights character of the work undertaken".<sup>20</sup>

In a wave of unprecedented political repression following the Belarusian presidential election in 2020, Belarusian authorities targeted both institutionally organized human rights defenders (human rights organizations and their employees) and human rights defenders in a wider sense (non-profit organizations, think tanks, investigative journalists, teachers, labor union members, activists in the fields of culture, medicine, sport, etc.). This paper will primarily concentrate on analyzing repression against human rights defenders who professionally identify as such — that is, for whom human rights defense work is a professional occupation. The paper seeks to identify the instruments of collective pressure in the field, as well as to describe individual cases of human rights defenders' persecution.

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<sup>19</sup> Office of the High Commissioner for Human Rights, [About human rights defenders](#).

<sup>20</sup> Office of the High Commissioner for Human Rights, [About human rights defenders](#).

By identifying the ways human rights defenders are oppressed and deprived of the right to practice human rights work, this paper seeks to inform the international community of the scale of the problem, empower Belarusian human rights defenders to be resilient in the face of mounting repression and shrinking civil society space, and mobilize actors able to help the community of Belarusian human rights defenders remain active and sustainable.

## **INSTRUMENTS OF COLLECTIVE PRESSURE ON THE HUMAN RIGHTS DEFENDERS COMMUNITY IN BELARUS**

Human rights defenders are the “usual suspects” when it comes to state authorities’ attempts to explain civil resistance and disobedience by the general population. They often use the rhetoric of calling civil society organizations “foreign agents”, sponsored by the collective and hostile West. They are often seen by the state as steering societal dissatisfaction with government policies and political dissent. Their potential to “shake the stability” of Belarusian society is seen as a threat, and their voices are, therefore, silenced.

In order to silence political dissenters, Belarusian authorities rely on a toolbox of repressive mechanisms. The following methods of exerting pressure on the community are used by Belarusian authorities.

### **SEARCHES**

Multiple organizations and their employees were subjected to searches. On 14 July 2021, law enforcement officers in Belarus organized a massive raid against human rights organizations and other non-governmental organizations (NGOs), human rights defenders, and activists. The offices of the Belarusian Helsinki Committee, Legal Transformation Center (Lawtrend), the Centre for Information and Legal Support of Socially Vulnerable Groups (Advocacy), the International Public Association (Gender Perspectives), the Belarusian Association of Journalists, and Human Rights Centre Viasna (HRC Viasna) were searched. Private apartments and the houses of human rights defenders were also searched.



Searches were often conducted without law enforcement officers presenting warrants or following due process, making them seem more like raids than policing operations. State representatives confiscated the personal and professional equipment of human rights defenders and their families, as well as books, documents, bank cards, and cash.

Even when human rights defenders who were targeted were not arrested or detained following the search, the consequences of searches often left them without the ability to continue their work, due to pressure, lack of equipment, and limitations in communication with colleagues inside the country and outside.

## DETENTIONS AND ARRESTS

Some human rights defenders were not only searched but also detained or arrested. The restriction of liberty is a particularly harsh measure, often severely affecting the mental and physical health of detained human rights defenders, as well as affecting their ability to continue working.

The conditions in detention facilities in Belarus are often inhumane and degrading.<sup>21</sup> Prisoners and those in pre-trial detention are kept in overcrowded cells, with no mattresses to sleep on and limited or no access to showers and outside walks. Detainees reported that the light is never switched off in the cells, preventing inmates from sleeping at night. In line with the general trend of using “anti-extremism” laws to silence dissenting voices, some detainees are labeled with special “prone to extremism” badges and face harsher treatment from their guards because of their “particular danger”. Such people are at a higher risk of being put in solitary confinement or subjected to physical and psychological violence. Packages of food and essentials from the detainees’ families and friends are often denied, leaving detainees without sanitary essentials or food that meets their dietary requirements. Lawyers are sometimes not allowed to see their clients in detention facilities, under the pretence of “epidemiological conditions”, while no measures to prevent the spread of COVID-19 are taken within prison institutions.

The effect of such detention conditions on prisoners is detrimental to their health and wellbeing, as well as on their ability to continue their work. Being physically isolated, they cannot directly interact with the beneficiaries of their

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<sup>21</sup> Open Democracy, [Overcrowded and violent: what awaits Belarusian protesters in prison](#), 20 November 2020.

human rights work and perform professional duties. They are often threatened and intimidated by law enforcement authorities. In rare cases of human rights defenders being released from detention, their release or the mitigation of their detention conditions often depends on their willingness to “confess guilt” or curtail their human rights activities.

## FABRICATION OF CRIMINAL CASES

In some cases, human rights work is effectively criminalized and human rights defenders become suspects in newly opened criminal cases (see below, Individual cases of persecution of human rights defenders). The charges range from grossly violating public order to evading taxes. Two notorious criminal cases were initiated against employees of the Office for the Rights of Persons with Disabilities and HRC Viasna.

Criminal persecution entails particularly high risks for human rights defenders. Every aspect of human rights work becomes scrutinized, employees are searched, interrogated, and arrested. Unless the defenders in question manage to relocate to safer locations before or promptly after the criminal prosecution starts, their work is at risk of being paralyzed. The incriminating offenses are often punishable by years of imprisonment.

## LIQUIDATION / DISBANDMENT<sup>22</sup>

As of 1 October 2021, all human rights organizations were liquidated by Belarusian authorities.<sup>23</sup> According to the United Nations High Commissioner for Human Rights, 129 civil society organizations had been closed down or were in the process of liquidation by the authorities.<sup>24</sup> The mass scale of liquidations as well as them occurring simultaneously suggests that it was a coordinated policy to eliminate all active civil society organizations almost at once.

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<sup>22</sup> Liquidation refers to the process of depriving the organization of its official registration. As a result of liquidation, the organization in questions ceases to exist as a legal entity.

<sup>23</sup> Defenders.by, [The last human rights organization in Belarus was liquidated, 1 October 2021](#).

<sup>24</sup> Belsat, [UNHRC on situation in Belarus: Continuing police raids against NGOs and media, arrests of journos and activists, 24 September 2021](#).

According to HRC Viasna, as of 14 November 2021, 275 non-profit organizations in Belarus had already been liquidated or were in the process of liquidation.<sup>25</sup> On 30 July 2021, de-facto President Alexander Lukashenko said that as a result of the measures taken, 185 destructive structures were identified that pose a potential threat to national security, including a representative office of a foreign non-profit organization, 71 republican and local public associations, and 113 institutions.<sup>26</sup>

One of the most common grounds for the liquidation of non-profit organizations is “inconsistency of activities with the goals and subject matter specified in their charters”, including actions allegedly committed by the organization that harm public order and national security. On 3 August 2021, the General Prosecutor’s Office of the Republic of Belarus publicly announced the liquidation of four organizations on those grounds. The human rights organizations consulting on current international practices and their implementation in law are Human Constanta, the Center for the Promotion of Women’s Rights, the Office for the Rights of Persons with Disabilities, and the Center for Legal Transformation. It was also alleged that the organizations’ websites “post false information aimed at spreading destructive moods in society, calls for economic and political pressure on the country, and for other actions detrimental to national security”. While it is clear that the activities of human rights and civil society organizations do not pose a threat to national security, the elimination of such organizations constitutes one of the forms of persecution for peaceful human rights activities.<sup>27</sup>

Although liquidation is merely a formal act of closing the legal entity and does not mean immediate discontinuation of the activities of human rights organizations, it is still a considerable obstacle to performing human rights work. Without the status of a registered organization, human rights initiatives are limited in ways they can lawfully be funded, as well as in ways they can organize public events, provide consultations to their beneficiaries, or run helplines for victims.

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<sup>25</sup> Reform.by, [275 организаций — правозащитники сообщили о масштабах ликвидации НКО](#), 2 October 2021.

<sup>26</sup> HRC “Viasna,” [Full list of NGOs that have faced pressure from the Belarusian authorities](#), 14 November 2021.

<sup>27</sup> Human Constanta, [The fight against “extremism” with fatal outcomes — an overview of trends for August and September 2021](#), 2 November 2021.

In addition, on 11 January 2022, it was announced that the Criminal Code of the Republic of Belarus will be supplemented by an article prohibiting working on behalf of an unregistered or liquidated organization and making such work punishable by up to two years of imprisonment.<sup>28</sup> Since all human rights organizations and the majority of independent civil society organizations were liquidated by Belarusian authorities in 2021, such an amendment effectively criminalizes human rights work. Due to such legislative manipulation, being a human rights defender in Belarus in 2022 is a criminal offense.

## PROPAGANDA TOOLS

Since most mainstream media outlets in Belarus are state-owned and state-controlled, they often become a propaganda mouthpiece. Human rights organizations and their employees are often mocked on state TV channels. The propaganda rhetoric on human rights defenders revolves around characterizing them as “agents of Western powers”, whose mission is to destabilize Belarusian society.

For example, the pro-state publication SB Belarus Segodnya suggests that human rights activists working for HRC Viasna used “foreign money” to encourage citizens not to fear punishment for their crimes, helped offenders to evade responsibility, provided financial support to the protest movement, and discredited the state for the international arena.<sup>29</sup> According to other pro-state media on Belarusian television, human rights organizations “pump money from Western governments and organizations, hiding behind the good intentions of creating a civil society” and that specifically HRC Viasna, the main target of propaganda attacks, “supports Belarusian protests through the Lithuanian company of the same name for laundering foreign grants”.<sup>30</sup>

Lukashenko declared: “The growth in the number of non-profit organizations is a marker of the preparation of color revolutions. Under the guise of charity,

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<sup>28</sup> Zerkalo.io, [Activity of unregistered organizations is now criminally punishable in Belarus, while collecting funds for fines entails administrative responsibility](#), 11 January 2022.

<sup>29</sup> SB Belarus Segodnya, [What is the underside of human rights activities](#), 14 April 2021.

<sup>30</sup> Belarusian television, [Who is fighting for human rights, and who is for power, calling himself a human rights defender, and why it is beneficial for the West to support the latter](#), 26 October 2021.

socially significant projects, they are fulfilling someone else's political order". Lukashenko also noted that behind each structure there are thousands of activists who have fallen under the influence of foreign coordinators and who have created the legal resource for "destructive activities". Moreover, Lukashenko added that "a number of NGOs, in order to mobilize people to take part in protests, circulated fakes, called for disobedience, taught radical citizens the skills to fight law enforcement officers, and made black lists of people loyal to the country".<sup>31</sup>

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<sup>31</sup> BelTA, Lukashenko: NGOs under the guise of charity work out someone else's political order, 30 July 2021

# INDIVIDUAL CASES OF PERSECUTION OF HUMAN RIGHTS DEFENDERS

## OFFICE FOR THE RIGHTS OF PERSONS WITH DISABILITIES

The founder and director of the Office for the Rights of Persons with Disabilities, Sergey Drozdovskiy ([Siarhei Drazdouski](#) in Belarusian), and the legal advisor of the Office, Oleg Grablevskiy ([Aleh Hrableuski](#) in Belarusian), were detained on 3 February 2021.<sup>32</sup> Drozdovskiy, a wheelchair user, also founded the Association of Wheelchair Users in Belarus in 1997. Grablevskiy, a human rights lawyer, has over 20 years of experience providing legal support to civil society organizations and trade unions in Belarus.

The Office conducts research and educational programmes on disability issues, advocates for legislative changes, and facilitates consultations between state officials and people with disabilities in order to foster a more accessible environment in Belarus. The Office is a United Nations implementing partner and cooperates with the Office of the High Commissioner for Human Rights on the promotion and protection of the rights of people with disabilities. The organization was founded 10 years ago.

On 21 January 2021, the Department of Financial Investigations (DFI) of the State Control Committee of the Republic of Belarus announced on its official website that it would be opening an investigation into the activities of certain members of the Office for the Rights of Persons with Disabilities. On the same day, DFI officers carried out a search at the premises of the Office, confiscating computer equipment, phones, and a significant number of documents. Drozdovskiy and Grablevskiy were taken in for questioning by the DFI. The DFI also searched the homes and confiscated the personal property of other members of the Office.

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<sup>32</sup> Office of the High Commissioner for Human Rights, [Belarus: Crackdown on human rights defenders deepens — expert](#), 19 March 2021.

The Committee of State Control explained that the interrogation of the two human rights defenders was part of an investigation into the work of the Office for possible misappropriation of charitable donations and international funding. On 2 February 2021, at 9:30 a.m., Drozdovskiy and Grablevskiy arrived at the Department of Financial Investigations at the Committee of State Control. They were reportedly called in under the pretence that the equipment confiscated during the search at the Office would be returned. They were instead brought into a room for questioning, where they were held for seven hours and denied repeated requests for access to their lawyers. Grablevskiy was at one point forced to remove all of his clothes, while Drozdovskiy was required to remain still for the full seven hours, causing him significant pain as a wheelchair user.<sup>33</sup>

On 3 February 2021, at midday, Drozdovskiy and Grablevskiy were arrested. Their lawyers signed a non-disclosure agreement, preventing them from talking publicly about a number of details in their clients' case.<sup>34</sup> On 12 or 13 February 2021, Grablevskiy was charged with “fraud” under Article 209 of the Criminal Code of Belarus and put in pre-trial detention, until he was released under personal guarantee on 31 July 2021. Drozdovskiy was charged with the same crime and placed under house arrest, until he was released under personal guarantee on 31 July 2021.

It is reported that the investigation into the work of the Office and related charges against Drozdovskiy and Grablevskiy could be connected to the ongoing cooperation of the Office with United Nations agencies, which aimed at providing legal advice and support to people with disabilities and for the promotion and protection of their human rights. Such a contention is confirmed by a statement from the Belarusian Ministry of Foreign Affairs.<sup>35</sup>

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<sup>33</sup> Office of the High Commissioner for Human Rights, Mandates of the Special Rapporteur on the situation of human rights defenders; the Working Group on Arbitrary Detention; the Special Rapporteur on the situation of human rights in Belarus; the Special Rapporteur on the rights of persons with disabilities; the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; the Special Rapporteur on the rights to freedom of peaceful assembly and of association; the Special Rapporteur on the independence of judges and lawyers; the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, [Communication AL BLR 4/2021](#), 12 March 2021.

<sup>34</sup> Such practice is increasingly common in all cases of political persecution.

<sup>35</sup> Permanent Mission of the Republic of Belarus to the United Nations Office and other international organizations in Geneva, [On the misuse by the staff of the UN Office in Belarus of financial resources intended for legal aid to persons with disabilities and victims of domestic violence](#), 12 October 2021.



## HUMAN RIGHTS CENTRE VIASNA

HRC Viasna is one of the oldest human rights organizations operating in Belarus. It has long been on the radar of Belarusian authorities, and its employees have been subjected to persecution multiple times. The spike of violence and repression that followed the 2020 presidential election has once again hit the organization.

The persecution of HRC Viasna employees came in waves. Some human rights defenders were arrested in the wake of the protests; others were targeted during the 14–15 July 2021 crackdown. During these two days, 11 HRC Viasna human rights defenders in Belarus were detained, as well as two former representatives of the organization. Eight human rights defenders were detained as part of a criminal case under parts 1 and 2 of Article 342 (organization and preparation of actions grossly violating public order, or active participation in them) and Part 2 of Article 243 (tax evasion) for 72 hours. Some human rights defenders were released immediately after the searches and (or) interrogations, some of them were released after 72 hours, but without removing the status of “suspects”.<sup>36</sup> However, overall, seven HRC Viasna members are still imprisoned on political grounds.

### MARFA RABKOVA

*We need so little: that our human dignity  
is respected and our human rights are upheld.  
All this will end soon, we just need not to fall  
into despair and not to give up*

Marfa Rabkova's letter

The coordinator of the HRC Viasna volunteer service, [Marfa Rabkova](#), has been detained since 17 September 2020. Rabkova was involved in documenting instances of torture and ill treatment against detained protesters since the beginning of the peaceful protests in Belarus in summer 2020.

One of the key functions of the HRC Viasna volunteer network, coordinated by Rabkova, was to monitor respect for the right to peaceful assembly since mass protests began, following the announcement of the results of the August 2020 presidential election.

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<sup>36</sup> Interfax, [Human rights activists from Viasna detained in Belarus in the case of riots and taxes](#), 15 July 2021.



Rabkova was detained on 17 September 2020, allegedly for training or otherwise preparing people for taking part in mass riots. From January 2021, employees of the Ministry of Internal Affairs and Investigative Committee of Minsk began making public statements that a number of human rights defenders had been involved in criminal organizations that sought to carry out attacks on government institutions. On 11 February 2021, Rabkova was indicted under two further crimes, namely “involvement in a criminal organization” (Part 2 of Article 285 of the Criminal Code of the Republic of Belarus) and “intentional actions aimed at inciting racial, national, religious or other social hatred or discord on the basis of racial, national, religious, linguistic or other social affiliation” (Part 3 of Article 130 of the Criminal Code of the Republic of Belarus). The latter charge allegedly relates to her criticism of state institutions, due to the fact that civil servants and members of the police can reportedly be considered a separate social group in Belarus and can thus be qualified as victims of “hate crimes”.

On 4 November 2021, the Investigative Committee of the Republic of Belarus reported that two people with anarchist views (their surnames are not stated) who were involved in the arson of the Homel district tax inspectorate in 2017 were identified: a 31-year-old man and a 26-year-old woman. Pro-government Telegram channels supplemented this message with information that the human rights activist Marfa Rabkova was the head of these actions. Due to the vagueness of the wording of the Investigative Committee, it is not entirely clear whether Rabkova has been formally charged with additional charges.<sup>37</sup>

Rabkova faces up to 12 years in prison and is prevented from discussing further details about her case after she signed a non-disclosure agreement. According to information received, Rabkova’s communication with the outside world has been restricted since her detention. Although she has been permitted unrestricted access to her lawyer, letters sent from prison often do not reach their intended addressee, and she is not permitted to see her family. She currently remains in pre-trial detention.

## TATSIANA LASITSA

Human rights activist and volunteer at the Homiel branch of HRC Viasna [Tatsiana Lasitsa](#) has been detained since 21 January 2021.

Lasitsa was detained at Minsk airport by law enforcement officers. She is a suspect in a criminal case under parts 1 and 2 of Article 342 of the Criminal

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<sup>37</sup> Zerkalo.io, [Human rights activist Marfa Ryabkova is accused of organizing the arson of the tax inspectorate in Gomel in 2017](#), 4 November, 2021.

Code of the Republic of Belarus (“organization or active participation in group actions that grossly violate public order”).

On 3 November 2021, the Central District Court of Homiel found Lasitsa guilty of “organizing and preparing actions that grossly violate public order” under Part 1 of Article 342 of the Criminal Code and “training and preparation of persons for participation in such actions, as well as their financing or other material support” under Part 2 of Article 342 of the Criminal Code. Lasitsa was sentenced to two and a half years of imprisonment in a general security penal colony.<sup>38</sup>

## LEANID SUDALENKA

*I have already lost my freedom,  
but I kept the main things — my conscience and the Truth.  
And with them, any ordeals are not terrible.  
Everything passes and it will pass too.  
I have been protecting the rights of other people  
for twenty years and even in my most terrible dreams  
I could not imagine that this help would be turned into a crime*

[Leanid Sudalenka’s letter](#)

Human rights lawyer and head of the Homiel branch of HRC Viasna [Leanid Sudalenka](#) has been detained since 18 January 2021. A laureate of the “Liberty, Equality, Fraternity” prize from the French Republic, he is known predominantly for his work on the abolition of the death penalty in Belarus.

On 5 January 2021, officers of the Main Department for Combating Organized Crime and Corruption of the Ministry of Internal Affairs (commonly referred to as GUBOPiK in the Russian transliteration of the agency’s name) arrived at the premises of Homiel Public Political Centre, where the Homiel branch of HRC Viasna was located, to conduct a search. The search, which lasted just under 10 hours, took place in relation to an ongoing criminal investigation concerning another individual, in which Sudalenka was acting as a witness. Office equipment, bank cards, and roughly 200 case files compiled by HRC Viasna on protesters facing criminal proceedings were confiscated. Sudalenka, who was present for the entirety of the search, was subsequently taken to the

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<sup>38</sup> HRC “Viasna”, [Viasna activists Leanid Sudalenka and Tatsiana Lasitsa sentenced to 3 and 2 years in prison, 3 November 2021.](#)

GUBOPiK offices for questioning, allegedly in relation to the aforementioned criminal investigation. During his interrogation, Sudalenka was asked about details outside the scope of the investigation. He was interrogated about legal assistance provided by him to peaceful protesters. Although Sudalenka was released on the day of the interrogation, law enforcement officers obtained a warrant to conduct a search in his home. During that search, his personal computer was confiscated.

On the morning of 18 January 2021, Sudalenka was arrested as he made his way to the HRC Viasna office and taken to the city offices of the Investigative Committee of the Republic of Belarus for questioning under allegations that he breached parts 1 and 2 of Article 342 of the Criminal Code of the Republic of Belarus, relating to organization of “mass riots”. Sudalenka’s lawyer was not permitted to meet with him until 17:30 on that day. Officially, Sudalenko was charged on 28 January 2021 with a violation of parts 1 and 2 of Article 342 of the Criminal Code of the Republic of Belarus. The human rights defender is currently held at the temporary detention facility in the Department of Internal Affairs in Homiel.

On 3 November 2021, the Central District Court of Homiel found Sudalenka guilty of “organizing and preparing actions that grossly violate public order” under Part 1 of Article 342 of the Criminal Code and “training and preparation of persons for participation in such actions, as well as their financing or other material support” under Part 2 of Article 342 of the Criminal Code. Sudalenka was sentenced to three years of imprisonment in a general security penal colony.<sup>39</sup>

## MARYIA TARASENKA

Maryia Tarasenko, a volunteer at the Homiel branch of the Human Rights Center Viasna, was detained on 18 January 2021 and placed in a detention center. Her house was also searched. Tarasenko’s status in the case and the charges she faced were not disclosed. On the following day, the activist was released after spending 72 hours in detention. Tarasenko was accused in the same case with Leonid Sudalenko and Tatyana Lasitsa, however, unlike them, she was not in a pre-trial detention center, but under guarantee of not leaving

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<sup>39</sup> HRC “Viasna”, [Viasna activists Leonid Sudalenka and Tatsiana Lasitsa sentenced to 3 and 2 years in prison, 3 November 2021](#).

the territory of Belarus. During the trial, the state prosecution demanded Tarasenka be given a sentence of imprisonment for two and a half years in a colony. Following the proceedings, Tarasenka was forced to leave Belarus.

## ANDREI CHAPIUK

A HRC Viasna volunteer, Andrei Chapiuk was arrested on 9 October 2020. Chapiuk was charged under Part 2 of Article 293 of the Criminal Code of the Republic of Belarus for “participation in riots”. Chapiuk was also a representative of the anarchist movement in Belarus, in connection with which, on 28 January 2021, law enforcement authorities said that he was additionally charged with violating Part 2 of Article 285 of the Criminal Code of the Republic of Belarus for “participation in a criminal organization in any other form”. In this regard, it can be noted that belonging to the anarchist movement can be used on a discriminatory basis when conducting investigative actions.

## HRC VIASNA RAID

*I believe that no crime committed  
against people will be forgiven.  
I urge people not to fall into despair  
and continue to defend their human rights.  
After all, we are not cattle!”*

**Ales Bialiatski’s letter**

Following the crackdown on human rights defenders and civil society activists in July 2021, in addition to Marfa Rabkova, Tatsiana Lasitsa, Leanid Sudalenka, and Andrei Chapiuk, three HRC Viasna employees were detained: chairperson **Ales Bialiatski**, deputy chairperson **Valiantsin Stefanovich**, and lawyer and coordinator of the “Human Rights Defenders for Free Elections” campaign **Uladzimir Labkovich**.

At the moment, they are being held in pre-trial detention center-1. Bialiatski was charged with tax evasion under Article 243 of the Criminal Code, and Stefanovich and Labkovich, in addition to the article on taxes, are also charged with “organizing and preparing actions that grossly violate public order, or active participation in them” under Article 342 of the Criminal Code. The “Free Viasna” campaign was launched in September 2021 to promote joint solidarity action in support of human rights defenders behind bars.<sup>40</sup>

<sup>40</sup> HRC “Viasna”, [Free Viasna campaign](#).

## PUBLIC ASSOCIATION ZVYANO

Human rights defender and director of the civil society organisation Zvyano, Tatsiana Hatsura-Yavorska was arrested by Belaruisan law enforcement officers in April 2021 on suspicion of taking part in “mass riots”. Despite being released from the detention center, she remains a suspect in a criminal case. Hatsura-Yavorska’s husband, Volodimir Yavorski, was beaten up, blackmailed by Belarusian law enforcement officers, and, under pressure from state authorities, was forced to leave Belarus together with their son.<sup>41</sup>

## INDIVIDUAL HUMAN RIGHTS DEFENDERS

### ANDREY ALEKSANDROV AND IRYNA ZLOBINA

Journalist and human rights defender Andrey Aleksandrov has been detained since 12 January 2021. Aleksandrov is the founder and editor-in-chief of the Belarussian Journal as well as the former deputy director of BelaPAN news agency. He has provided input to numerous trainings for journalists, domestically and internationally and previously worked for international NGOs, such as Article 19 and Index on Censorship.

On 12 January 2021, officers of the Department for Combating Economic Crimes of the Ministry of Internal Affairs in Minsk arrested Aleksandrov ([Andrei Aliaksandrau](#) in Belarusian) and partner [Iryna Zlobina](#). They were subsequently charged with violating Part 2 of Article 342 of the Criminal Code of the Republic of Belarus for alleged financing of mass riots. The charges relate to paying the fines imposed on peaceful protesters.

On 14 January 2021, over 10 officers from the Department for Combating Economic Crimes of the Ministry of Internal Affairs conducted a search on behalf of the Department of the Investigative Committee for Minsk of the offices of BelaPAN. Computer hard drives, a network server drive, two netbooks, and a number of files were seized. The warrant for the search cited Articles 342 and 293 of the Criminal Code of the Republic of Belarus, related to the financing of mass riots.

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<sup>41</sup> Helsinki Foundation for Human Rights, [Right to defence: A gender perspective](#), 2021; Front Line Defenders, [Беларусь: Задержана правозащитница Татьяна Гацура-Яворская](#), 13 April 2021; World Organisation Against Torture (OMCT), [Belarus: Obstacles to the freedom of association of “Zvyano”](#), 16 June 2021.

On 30 June 2021, Aleksandrov faced additional charges under Part I of Article 356 of the Criminal Code of the Republic of Belarus for revealing the state secrets of the Republic of Belarus to a foreign state, international or foreign organization, or their representatives. If convicted, the charges carry a possible imprisonment sentence of between 7 and 15 years. According to Aleksandrov's lawyer, the human rights defender denies the charge. Aleksandrov is alleged to have paid the fines for 250 individuals between 22 August and 9 November 2020. Aleksandrov and Zlobina remain in detention.

## VOLHA HARBUNOVA

On 9 November 2021, the reputed Belarusian activist and founder of Radislava women's rights organization, [Volha Harbunova](#), was arrested. The human rights defender was charged with "organising and preparing actions that grossly violate public order" by "staging" women's marches in Belarus.<sup>42</sup> The persecution of Harbunova is connected to her professional activities: for 18 years, Radislava has been one of the key actors in combating domestic violence in Belarus, working with survivors and abusers, providing shelter, as well as medical, legal, and psychological assistance. Her arrest was preceded by the [liquidation](#) of Radislava.<sup>43</sup> Radislava provides assistance to people with a female gender identity who have found themselves in a difficult life situation, including domestic violence. The organization operates a shelter, a place where women and children who have suffered from domestic violence can get temporary, secure, and safe housing.

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<sup>42</sup> Belsat, [Women's March changes format](#), 3 October 2020.

<sup>43</sup> Global Voices, [Belarusian authorities rule to liquidate domestic violence shelter](#), 22 September 2021.

## CONCLUSION AND RECOMMENDATIONS

It has often been observed that, in many countries, human rights defenders who act in defense of the rights of political prisoners are often described by state authorities as being supporters of an anti-governmental agenda, simply because they defend the rights of the people concerned.<sup>44</sup> The defense of human rights is, thus, equated to undermining the stability of the established state order and a destructive force for the ruling elites.

It is precisely the approach that the Belarusian authorities follow to criminalize the activities of human rights defenders. The wave of liquidations, closures, searches, and arrests indicates the intention to completely purge civil society space in Belarus of independent voices. Notorious for committing massive human rights violations,<sup>45</sup> Belarusian authorities are not prepared to tolerate anyone bringing them into the spotlight.

The United Nations Special Rapporteur on the situation of Human Rights Defenders, Mary Lawlor, mentioned that “raids on offices, arrests of human rights defenders and the hampering of lawyers’ work have become common practice” in Belarus, mentioning specifically the criminalization of the activities of the Office for the Rights of Persons with Disabilities and HRC Viasna.<sup>46</sup>

Front Line Defenders expressed serious concern by the detention, searches, and ongoing judicial prosecution of human rights organizations and human rights defenders in Belarus. As follows from their official statement, the organization is certain that Belarusian human rights defenders “are being targeted solely as a result of their legitimate and peaceful human rights work”.<sup>47</sup>

One of the most detrimental effects of the attacks on the Belarusian human rights community is their effective deprivation of the right to practice their profession. Perceiving human rights work as a crime and stripping human rights organizations of their registration completely stops any cooperation between the defenders and Belarusian government — making it borderline impossible for defenders to “assist States parties in developing public policies to fulfil their

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<sup>44</sup> Office of the High Commissioner for Human Rights, [About human rights defenders](#).

<sup>45</sup> Office of the High Commissioner for Human Rights, [Belarus: Massive human rights violations unprecedented in scope and gravity](#), says UN expert, 5 July 2021.

<sup>46</sup> Office of the High Commissioner for Human Rights, [Belarus: Crackdown on human rights defenders deepens — expert](#), 19 March 2021.

<sup>47</sup> Front Line Defenders, [Crackdown on human rights defenders and organisations](#), 14 July 2021.



[human rights] obligations”, as the Declaration on Human Rights Defenders envisioned.<sup>48</sup>

The non-recognition of human rights work as a lawful occupation leads to increased risks for the human rights defenders’ community. Human rights defenders in Belarus are denied all of the nine key rights that are articulated in the Declaration:<sup>49</sup> the right to be protected, the right to freedom of assembly, the right to freedom of association, the right to access and communicate with international bodies, the right to freedom of opinion and expression, the right to protest, the right to develop and discuss new human rights ideas, the right to a remedy, and the right to access funding. Such mass and grave violations of the rights of human rights defenders warrant the immediate attention of the international community and a consolidated effort to restore justice — for sake the of not just human rights defenders themselves, but the direct beneficiaries of their work, which include vulnerable groups, including people with disabilities, women, foreigners and stateless people, and children. Such people are at risk of staying unsupported and unprotected, if oppression against human rights defenders continues.

While it is not possible for human rights defenders to cooperate or communicate with Belarusian authorities, which actively deny the existence and role of the former, recommendations below are addressed primarily to the international community, whether represented by states, organizations, or private actors. We recommend that the following actions are taken in reaction to the repressive policies of the Belarusian government against human rights defenders.

- Support credible and reputable human rights organizations in Belarus and in exile, while exercising due diligence and distinguishing between actual human rights organizations and state-sponsored organizations created to mimic the work of human rights defenders.
- Support efforts to ensure that Belarusian human rights defenders can freely move beyond Belarusian borders and promptly relocate, if necessary, including by facilitating fast and efficient visa processing and relocation programmes.
- Support detained human rights defenders and their family members by all appropriate means.

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<sup>48</sup> United Nations General Assembly, [Situation of human rights defenders](#), Note by the Secretary-General, A/73/215, 23 July 2018, paras. 15.

<sup>49</sup> United Nations General Assembly, [Situation of human rights defenders](#), Note by the Secretary-General, A/73/215, 23 July 2018, paras. 18–19.



**Human Constanta** is a human rights organization.

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