

Universal Periodic Review

Joint submission to the United Nations Human Rights Council by the Belarusian National Youth Council “RADA” and the European Youth Forum

This joint submission for Belarus’ 4th cycle of the Universal Periodic Review is prepared by the **Belarusian National Youth Council “RADA”** with major involvement of its member organizations: **Belarusian Students’ Association, Ecohome, Youth Bloc, Maladaja Hramada**; and the **European Youth Forum**.

The submission provides an overview of Belarus’ implementation of its human rights obligations, with a focus on youth. It also contains recommendations outlining possible steps to address the issues mentioned in the submission.

About the Contributing Organizations



The Belarusian National Youth Council “RADA” is a voluntary union of 44 youth associations, established with the purpose of consolidating youth organizations in Belarus. RADA operates in the areas of representation, promotion and defending the common interests and freedoms of youth organizations and young people in Belarus.

Webpage: <https://en.rada.fm/>



The European Youth Forum is the platform of youth organizations in Europe. We represent over 100 youth organizations, which bring together tens of millions of young people from all over Europe.

Webpage: www.youthforum.org

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GENERAL REMARKS

1. Some human rights violations highlighted in this report have a complex and interrelated nature, affecting multiple rights simultaneously. While these issues are categorized under specific sections, references to their broader impact on other rights are included where relevant.
2. In this report, Belarus is assessed based on the treaties to which it is a party, in particular: the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights (ICCPR), International Covenant on Economic, Social and Cultural Rights (ICESCR), UNESCO Convention against Discrimination in Education, Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), Convention on the Rights of Persons with Disabilities (CRPD).

HUMAN RIGHTS SITUATION IN BELARUS: GENERAL PROVISIONS

3. Human rights violations by the authorities in Belarus have been systematic since 1996, however, over the past five years, after the 2020 presidential elections, Belarus has faced a severe and unprecedented crackdown on human rights. The state has intensified its repressive measures, targeting civil society, activists, journalists, and youth. Fundamental freedoms, including freedom of expression and assembly, have been systematically violated. Young people have been subjected to arrests, job dismissal, expulsions, and systematic discrimination. As of January 22, 2025, among the 1,254 political prisoners, at least 331 are young political prisoners¹, and 838 are former political prisoners (born in 1990 or later)². At least 1,748 criminal cases have been initiated against young people³. These actions constitute severe violations of Belarus' international human rights obligations and the Constitution, undermining the rule of law and democratic principles.
4. In August 2022, Belarus withdrew from the First Optional Protocol to the International Covenant on Civil and Political Rights (ICCPR). This decision took effect on February 8, 2023, and terminated the access of Belarusians whose rights were not guaranteed by the state to submitting complaints to the Human Rights Committee. It was one of a few mechanisms available to Belarusians to protect the impeded rights at the international

¹ Viasna Human Rights Centre, *List of Political Prisoners, Former Political Prisoners, and Persons Convicted in Political Criminal Cases*, [Electronic resource] – Mode of access:

https://prisoners.spring96.org/en/list?view=1&birthday_from=01.01.1990 Date of access 22.01.2025 . This list includes only individuals whose age and identity are known to Viasna, meaning the actual number of young people prosecuted in criminal cases may be significantly higher.

² Viasna Human Rights Centre, *List of Political Prisoners, Former Political Prisoners, and Persons Convicted in Political Criminal Cases*, [Electronic resource] – Mode of access:

[https://prisoners.spring96.org/en/list?view=1&status\[\]=1&birthday_from=01.01.1990](https://prisoners.spring96.org/en/list?view=1&status[]=1&birthday_from=01.01.1990) Date of access 12.01.2025. This list includes only individuals whose age and identity are known to Viasna, meaning the actual number of young people prosecuted in criminal cases may be significantly higher.

³ Viasna Human Rights Centre, *List of Political Prisoners, Former Political Prisoners, and Persons Convicted in Political Criminal Cases*, [Electronic resource] – Mode of access:

https://prisoners.spring96.org/en/list?view=1&birthday_from=01.01.1990 Date of access 12.01.2025. This list includes only individuals whose age and identity are known to Viasna, meaning the actual number of young people prosecuted in criminal cases may be significantly higher.

level, and the only one to protect the suppressed right to the freedom from torture or to cruel, inhuman or degrading treatment or punishment.

RIGHT TO EDUCATION

5. Young people in Belarus face significant obstacles in exercising their right to education, which is closely linked to violations of other rights, including freedom of expression, freedom of assembly, freedom of association, right to equality and non-discrimination, and the right to choose the language of instruction.
6. In higher education, the indoctrination⁴ of young people has intensified, with educational content and extracurricular activities reflecting a politicized and antagonistic agenda. Moreover, a number of universities now have appointed intelligence agency officers (KGB) as vice-rectors for security, responsible for monitoring the behavior of students and the faculty, identifying individuals deemed disloyal, and enforcing ideological control. Those identified as disloyal face expulsion and job dismissals, while others are pressured into self-censorship and political conformity to avoid repercussions. These practices undermine education's role in promoting tolerance and respect for human rights, as outlined in Article 13 of ICESCR.
7. Demonstrations on campus are effectively banned. As a consequence of the national strike on October 26, 2020, students who participated faced persecution, including arrests, intimidation, and expulsion from their universities⁵. These practices violate Belarus' obligations under Article 21 of ICCPR which protects the right to peaceful assembly.
8. Freedom of association is heavily restricted, with student associations facing constant surveillance and significant risks of persecution⁶. The Belarusian Students' Association was claimed to be an extremist organization. In contrast, students are coerced into joining pro-governmental youth organizations which the authorities use to demonstrate widespread student support and in propaganda purposes. These actions violate the freedom of association under 22 of ICCPR.
9. Gender discrimination persists in higher education through disproportionate quotas favoring male students in military, internal affairs, and emergency affairs institutions, as well as in medical sub-internships. These practices violate Article 11 of CEDAW and contradict Article 13 of ICESCR, which ensures equal access to education.
10. Higher education remains insufficiently accessible for students with disabilities, particularly in terms of physical infrastructure and communication support. The

⁴ Belarusian Students' Association. (2025, March 18). *Belarusian Students' Association Report: The State of Belarusian Academia in 2024*. European Students' Union. [Electronic resource] – Mode of access: <https://esu-online.org/publications/belarusian-students-association-report-the-state-of-belarusian-academia-in-2024/> Date of access: 22.03.2025

⁵ Belarusian Students' Association. (2021, February 26). *BSA report on academic protests and repression in Belarus*. European Students' Union. [Electronic resource] – Mode of access: <https://esu-online.org/publications/bsa-report-on-academic-protests-and-repression-in-belarus/> Date of access: 22.03.2025

⁶ Belarusian Students' Association. (2024, February 14). *Belarusian Students' Association Report: The State of Academia in Belarus 2023*. European Students' Union. [Electronic resource] – Mode of access: <https://esu-online.org/belarusian-students-association-report-the-state-of-academia-in-belarus-2023/> Date of access: 22.03.2025

availability of modern assistive technologies that facilitate learning is limited. University admission for persons with disabilities depends on a positive recommendation from the MREK (Disability Assessment Body), which often makes its decisions based on theoretical assumptions about their future employment prospects. This approach violates CRPD, specifically Article 24, which ensures the right to inclusive and non-discriminatory higher education.

11. No university in Belarus offers the option to receive a full education in the Belarusian language in any specialty. In contrast, such opportunities exist for English-speaking students. In 2024 around 20% of graduates chose to take their exams in Belarusian rather than Russian. This situation in higher education promotes choosing Russian-language schools for their children or to place greater emphasis on foreign languages, further marginalizing the Belarusian language in educational contexts.

Recommendations:

- Remove intelligence agency officers from university administration to ensure that higher education remains free from political indoctrination and surveillance.
- Guarantee students' rights to peaceful assembly and association by lifting restrictions on campus demonstrations, ending political persecution of students, and ceasing the forced involvement in pro-government organizations.
- Ensure full accessibility in higher education for students with disabilities by improving physical infrastructure, expanding communication support, and increasing the availability of modern assistive technologies.
- Eliminate discriminatory quotas in higher education admissions and medical sub-internships to ensure equal access for all students, regardless of gender, with admission criteria based solely on merit and individual ability.
- Guarantee equal opportunities for higher education in the Belarusian language.

RIGHT TO EQUALITY AND NON-DISCRIMINATION

Recommendations accepted during the 3rd UPR cycle: 138.20, 138.236, 138.242, 138.246, 138.247, 138.248, 138.249, 138.250, 138.251, 138.259, 138.69, 138.70, 138.71

12. In 2024, more than 30 representatives of the LGBTQ+ community were detained on fabricated charges. The majority of those affected were falsely charged with administrative offenses; “hooliganism” and Article 368 (criminalizing the “distribution of pornography”) were misused to target the LGBTQ+ community, particularly transgender individuals. These detentions were accompanied by torture by law enforcement officials, violating Belarus’ obligations under ICCPR.

13. The Ministry of Culture amended⁷ its regulation on “erotic materials”, equating “homosexuality, lesbian love”, and “the desire to live and be perceived as a person of the opposite sex” with “non-traditional sexual relationships and (or) sexual behavior.” This classification places LGBTQ+ relationships in the same category as necrophilia, pedophilia, and voyeurism, effectively pathologizing LGBTQ+ identities and reinforcing state-sponsored discrimination. Under current legislation, such “demonstration” of LGBTQ+ relationships could also be classified as pornography. Public dissemination of pornographic materials is punishable by up to four years of imprisonment, and if minors are depicted, the sentence increases to up to 13 years. This vague and broad legal framing creates a serious risk of criminal prosecution for any representation of LGBTQ+ identities in public discourse, media, or culture.⁸
14. According to reports, in 2023-2024 in 80% of cases⁹, the commission for gender transition denies requests for gender correction, violating the right to access medical services. In contrast, the denial rate between 2019 and 2022 ranged from 0% to 20%, highlighting a significant increase in refusals.
15. In 2024, the General Prosecutor's Office of Belarus drafted a bill introducing administrative charges for "propaganda of non-traditional relationships, child-free lifestyles, and pedophilia."
16. Belarus does not undertake the steps necessary to eliminate all forms of discrimination against women, which is prescribed by CEDAW. There is still no legal act prohibiting any form of violence against women in Belarus, including the one on the prevention of domestic violence. Statistics on domestic violence are difficult to obtain, as official reporting is inadequate and access to data is restricted. However, it is reported¹⁰ that in 2022 alone, more than 70,000 individuals were affected by domestic violence. In addition, the forced liquidation of more than 1,600 NGOs¹¹, including the ones aimed at protecting women's rights and providing support to the victims of domestic violence has silenced advocacy for survivors of gender-based violence and left survivors without access to critical resources. The criminalization of cooperation with exiled CSOs has further isolated survivors, complicating efforts to collect statistics on domestic violence and other gender-based violence.

⁷ ILGA Database. (2024). *Peueneue № 24 (2024)*. [Electronic resource] – Mode of access: [https://database.ilga.org/api/downloader/download/1/BY%20-%20EXE%20-%20Decision%20No%2024%20\(2024\)%20-%20OR-OFF%20\(ru\).pdf](https://database.ilga.org/api/downloader/download/1/BY%20-%20EXE%20-%20Decision%20No%2024%20(2024)%20-%20OR-OFF%20(ru).pdf). Date of access: 22.03.2025

⁸ *Belarus Calls LGBT Lives 'Pornography'* [Electronic resource] – Mode of access: <https://www.hrw.org/news/2024/04/12/belarus-calls-lgbt-lives-pornography> Date of access: 20.01.2025

⁹ *In September 2023, at a commission of 20 participants, positive decisions were made for only 4 people (20%), and 16 were rejected (80%)* [Electronic resource] – Mode of access: https://tbelarus.com/post/monitoring-komissii-po-trans-perehodu-v-belarusi-2019-2024?utm_source=chatgpt.com Date of access: 20.01.2025

¹⁰ *The internal affairs bodies have registered about 70,000 cases of domestic violence* [Electronic resource] – Mode of access: <https://belta.by/society/view/mvd-na-profilakticheskome-uchete-sostojat-okolo-14-tys-domashnih-deboshirov-536836-2022/> Date of access: 02.22.2025

¹¹ *“Monitoring of NPOs in Belarus that are in the process of forced liquidation and have decided to self-liquidate”* [Electronic resource] – Mode of access: <https://www.lawtrend.org/liquidation-nko> Date of access: 20.03.2025

17. While the list of prohibited professions for women has been reduced¹², 88 professions remain restricted, limiting career opportunities. The gender pay gap in Belarus remains significant, with women earning 20–26% less than men on average. These practices violate CEDAW Articles 11, which guarantee equal professional opportunities. Also, despite the fact that women have access to high-ranking positions, including in the government, in reality, they do not have a direct influence on decision-making.
18. Belarus continues to enforce compulsory military service for young men. Legislative changes¹³ implemented on May 17, 2023, eliminated deferments for men studying abroad, forcing them to delay international studies or risk not being able to return to Belarus to avoid conscription or prosecution.

Recommendations:

- Adopt and implement laws prohibiting discrimination based on sexual orientation and gender identity, including in the professional area, in line with international standards (CEDAW, ICCPR).
- Ensure the protection of LGBTQ+ individuals by ending targeted repressions, discrimination and rights violations.
- Improve access to medical services for transgender individuals by ending discrimination and removing bureaucratic obstacles to gender-affirming procedures.
- Adopt the national law on domestic violence in accordance with international obligations.
- Reinstate educational deferments for students studying abroad and explore non-military public service options to uphold the right to education.

RIGHT TO A HEALTHY ENVIRONMENT

Recommendations accepted during the 3rd UPR cycle: 138.83

19. The issues highlighted in the previous UPR by Ecohome¹⁴ remain relevant, with recommendations largely unaddressed. However, during the reporting period, repression and the liquidation of environmental NGOs have intensified.
20. The Law "On Environmental Protection" amended by July 17, 2023, excludes data on government decisions affecting the environment and genetically modified organisms, which means restriction of access to environmental information.

¹² Ministry of Labor and Social Protection of the Republic of Belarus. (2022). *On the amendment to the resolution of the Ministry of Labor and Social Protection of the Republic of Belarus from June 12, 2014, No. 35. National Legal Internet Portal of the Republic of Belarus.* [Electronic resource] – Mode of access: <https://pravo.by/document/?guid=12551&p0=W22238286&p1=1&p5=0> Date of access: 12.02.2025

¹³ *News House.* [Electronic resource] – Mode of access: <https://news.house/57965> Date of access: 12.02.2025

¹⁴ Ecohome NGO, *The situation with the realization of the right to a healthy and satisfactory environment in the Republic of Belarus, 2019* [Electronic resource] – Mode of access: https://upr-info.org/sites/default/files/documents/2020-10/ecohome-_belarus_.pdf Date of access: February 12.02.2025

21. Duration of public consultation in architecture and urban planning were cut from 35 to 20 days, limiting meaningful public participation. The concept of public participation in environmental decision-making processes has been reduced to superficial discussions of reports or projects.
22. Fear has discouraged citizens from openly engaging in discussions or contacting authorities about environmental issues, with activists facing detentions and pressure for collecting signatures or participating in discussions that are undermining intergenerational justice.
23. Although legislative changes now allow appeals against refusals or improper provision of environmental information, widespread repression and the liquidation of environmental NGOs have reduced access to justice options.
24. On August 31, 2021, the organization Ecohome was liquidated, which was deemed as a persecution by the Meeting of the Parties to the Aarhus Convention¹⁵ who also called for reinstatement — recommendations that were ignored. Ecohome was later labelled an extremist entity, with its website blocked. The website and social media accounts of the environmental news site — greenbelrus.info — were recognized as extremist materials.
25. On July 27, 2023, the Green Party was dissolved by the Supreme Court for not disclosing its membership list due to safety concerns. Party leader Dzmitryi Kuczuk was sentenced to six years in prison and designated a political prisoner.
26. Belarus withdrew from the Aarhus Convention¹⁶ and the Bern Convention, failing to implement key recommendations from the Aarhus Convention Compliance Committee and Espoo Convention Implementation Committee.
27. No significant progress was made in developing climate change or disaster risk reduction legislation. Key points of the Paris Agreement Action Plan remain unfulfilled, including the approval of the Low Emissions Strategy until 2050, the Climate Adaptation Action Plan.

Recommendations:

- Align practices and legislation on access to environmental information, public participation, and justice with international standards.
- Cease repression against environmental activists and NGOs. Restore the registration of liquidated environmental NGOs, including "Ecohome". Reinstatement of the registration of the Belarusian Green Party.
- Take steps to Belarus' rejoining of the Aarhus Convention and the Bern Convention and to implement them.

¹⁵ *Decision VII/8c concerning compliance by Belarus with its obligations under Aarhus Convention* [Electronic resource] – Mode of access: https://unece.org/sites/default/files/2021-11/Decision_VII.8c_eng.pdf Date of access: 12.02.2025

¹⁶ *Decree of the President of the Republic of Belarus № 247, July 18, 2022, "On the withdrawal of the Republic of Belarus from the international treaty"* [Electronic resource] – Mode of access: <https://president.gov.by/en/events/belarus-to-withdraw-from-aarhus-convention> Date of access: 12.02.2025

- Ensure compliance with the decisions of the Meeting of the Parties to the Aarhus and Espoo Conventions and establish cooperation with their bodies.
- Develop a Strategy and National action plan for climate adaptation and ensure public participation in developing and adopting NDCs and other climate change policies.

FREEDOM FROM TORTURE AND CRUEL, INHUMAN, OR DEGRADING TREATMENT

Recommendations accepted during the 3rd UPR cycle: 138.102-138.104, 138.109, 138.128

28. Torture and other forms of cruel, inhuman, and degrading treatment intensified following the mass arrests of protesters, including young people, after the 2020 elections and escalated further after the full-scale invasion of Ukraine in 2022¹⁷. Young people suspected of dissent have been subjected to severe beatings, psychological pressure, and inhumane detention conditions. Many former political prisoners have reported overcrowded cells, lack of medical care, denial of basic hygiene, and sleep deprivation. Forced confessions remain a systematic practice, with detainees being coerced into admitting guilt through physical and psychological torture. Detainees are forced to record repentance videos in which they are made to confess to crimes and express loyalty to the authorities.
29. On May 25, 2021, in Minsk, 18-year-old Dzmitry Stakhouski, a defendant in a criminal case for participating in the so-called "mass riots" on August 9–11, 2020 (Part 2 of Article 293 of the Criminal Code), died after committing suicide by jumping from a 16-story building. Before his death, he posted a farewell message on VKontakte, explaining his decision as a result of the moral pressure exerted on him during the prosecution.
30. With the emigration of former student activist to countries free from persecution, details about their detention conditions and instances of torture and other cruel, inhuman, and degrading treatment have emerged. Almost all individuals subjected to political persecution for expressing dissenting opinions, including participation in peaceful protests, report¹⁸ experiencing torture and ill-treatment, including beatings, psychological pressure, unsanitary conditions, prolonged isolation, medical neglect, etc.
31. On March 30, 2022, Yauhen Minkevich, Dzmitryi Klimau, and Uladzimir Auramtsau were arrested. They are suspected of destroying two relay cabinets near Asipovičy (in the Mahilioŭ region) after the beginning of the Russian full-scale invasion of Ukraine.

¹⁷ Belarusian Students' Association. (2022, December 28). Belarusian Students' Association Report: The State of Belarusian Academia in 2022. European Students' Union. [Electronic resource] – Mode of access: <https://esu-online.org/publications/belarusian-students-association-report-the-state-of-belarusian-academia-in-2022/> Date of access: 12.02.2025

¹⁸ Shanahan, M. (2021, August 30). Belarusian students forced to flee as activists tortured, imprisoned. Honi Soit. [Electronic resource] – Mode of access: <https://honisoit.com/2021/08/belarusian-students-forced-to-flee-as-activists-tortured-imprisoned/> Date of access: 12.02.2025

During the arrest, law enforcement officers used lethal weapons against them. After the arrest, the officers purposefully shot the men in the knee joints, even though they were not resisting.

32. Human rights defenders have received reports that detained and convicted Belarusian-speaking citizens are being forced to abandon the use of the Belarusian language through mockery, insults, beatings, and systematic pressure. In addition, authorities refuse to process correspondence in the Belarusian language and deny medical care, further exacerbating their conditions and breaching their human rights. These actions also amount to torture and ill-treatment, violating their freedom from torture.

Recommendations:

- Initiate effective, transparent, and independent investigations into human rights violations that constitute crimes under national or international law, including but not limited to torture and other forms of ill-treatment. Ensure that these investigations encompass the entire chain of command, holding all individuals bearing potential criminal responsibility accountable.
- Guarantee the right to the freedom from torture, cruel and other degrading treatment to everyone. Abolish the use of torture, cruel, inhuman, and degrading treatment against individuals in detention, including halting the practice of forced confessions, coercing participation in repentance videos, and subjecting detainees to physical and psychological abuse due to their political views.
- Additionally, provide full and comprehensive reparation to all victims of human rights violations in accordance with international and domestic legal standards. Such reparation must include compensation, restitution, rehabilitation, appropriate measures of satisfaction, and guarantees of non-repetition.
- Implement provisions prohibiting torture into national legislation to prevent future abuses and comply with international human rights obligations, particularly those under the Convention Against Torture (CAT).

FREEDOM OF EXPRESSION AND POLITICAL PARTICIPATION

Recommendations accepted by Belarus during the 3rd UPR cycle: 138.141-138.143, 138.145-138.146, 138.176-138.179, 138.183, 138.193, 138.212

33. From 2020 to 2025 Belarusian government systematically targeted individuals and groups expressing dissenting alternative opinions through restrictive legislation and punitive actions. Amendments to the Law “On the Prevention of Extremism”¹⁹ and the

¹⁹The National Legal Internet Portal of the Republic of Belarus. *Law of the Republic of Belarus: On Amendments to the Criminal Code of the Republic of Belarus* [Electronic resource] – Mode of access: <https://pravo.by/document/?guid=3871&p0=h10700203> Date of access: 12.02.2025

Administrative Code²⁰ introduce criminal liability for aiding and training for extremist activities, insulting or discrediting authorities, spreading false information about Belarus, violating mass event organization rules, illegal activities with weapons for extremist purposes, and crimes against public order or morality committed with extremist intent empower authorities to label dissent as extremism, enabling broad persecution, which leads to the violation of the right to freedom of expression enshrined in Article 19 of ICCPR by restricting individuals from freely expressing their opinions without fear of persecution. Thus, over the reviewed period, more than 3,000 Internet resources, social media groups, images, songs, books and messengers sticker packs have been recognized as “extremist materials”, the vast majority of which are independent media or pro-democratic content. This has led to over 6,000 individuals facing administrative charges for distribution or possession of such content with border device checks being increasingly used to inspect electronic devices at border crossings. Many of those targeted were subjected to 30-day detentions, often accompanied by threats and physical intimidation. Students and youth were disproportionately affected, with universities cooperating with state authorities to identify and punish those participating in protests or sharing dissenting views online.

34. The ability of opposition parties and their youth wings to function has been systematically eradicated through legal, administrative, and arbitrary measures. The 2021 amendments to the Law “On Political Parties”²¹ raised the membership threshold for registration from 1,000 to 5,000 individuals, imposing burdensome re-registration requirements resulting in the dissolution of 12 out of 16 parties, leaving only pro-government ones. The youth wings of dissolved parties were banned, with members facing charges for activities of unregistered organizations. More than 200 opposition groups were labeled as “extremist,” criminalizing engagement and forcing young activists into exile or secrecy. The consequences are severe: members face constant surveillance, detention, and imprisonment, effectively silencing youth advocacy for democratic reforms and severely limiting the ability to access and assess their needs, opinions, and concerns.
35. The electoral processes of the past 5 years, including parliamentary elections in 2024 and presidential elections in 2025, were characterized by widespread irregularities and coercion. Independent observers and human rights organizations highlight extensive fraud, including vote falsification, restriction on independent observers, and exclusion of opposition candidates²². Educational institutions were used for political control, with students coerced into voting for pro-government candidates, attending state rallies, and

²⁰ The National Legal Internet Portal of the Republic of Belarus. *Law of the Republic of Belarus: On the Introduction of Amendments to the Code of Administrative Offenses of the Republic of Belarus* [Electronic resource] – Mode of access: <https://pravo.by/document/?guid=12551&p0=HK2100091> Date of access: 12.02.2025

²¹ The National Legal Internet Portal of the Republic of Belarus. *Decree of the President of the Republic of Belarus: On Measures for the Implementation of the Criminal Code of the Republic of Belarus* [Electronic resource] – Mode of access: <https://pravo.by/document/?guid=3871&p0=v19403266> Date of access: 12.02.2025

²² Youth Bloc, & Belarusian Students' Association. (2024). *The state of Belarusian academia during the 2024 election campaign*. Youth Bloc. [Electronic resource] – Mode of access https://www.moladzbels.org/en/vybar2024_report Date of access: 12.02.2025

participating in propaganda activities under the threat of expulsion or penalties. Legal restrictions further eroded electoral rights: the minimum presidential age was raised to 40, requiring 20 years of continuous residency with no foreign citizenship or residency history. Active voting rights remain inaccessible to incapacitated individuals, prisoners, and exiled citizens due to political persecution, with no provisions for voting abroad. These measures undermine electoral integrity and deny young people a voice in shaping their political future.

36. Article 5.18.1 of the Education Code²³ allows for the penalties and expulsion of students for any form of administrative liability, often unrelated to academic performance. This provision is frequently used against students arrested for peacefully expressing opinions. Using expulsion as political persecution can be characterized as discriminative based on the definition of Article 1 of the UNESCO Convention against Discrimination in Education, as well as Article 19 of ICCPR, which protects freedom of expression.
37. Article 186 of the new version of the Code on Culture²⁴ prohibits independent guides from conducting museum tours, restricting this right exclusively to full-time museum employees. This measure effectively bars independent researchers, historians, and guides from presenting alternative perspectives on history, further limiting freedom of expression and public access to diverse historical narratives.

Recommendations:

- Amend the Law “On the Prevention of Extremism,” the Administrative and Criminal Codes, and related laws to clearly define “extremism” in line with international human rights standards. Ensure material classifications as extremist are transparent, judicially reviewed, and do not unduly restrict independent media or civil society.
- Revise the 2021 amendments to the “Law on Political Parties,” restore legal status to dissolved parties and their youth wings and enable a pluralistic political environment.
- Establish an independent electoral commission to ensure free and fair elections with domestic and international observers. Prohibit the use of educational institutions for political coercion and ensure freedom of choice. Reform electoral laws to protect the rights of observers, disabled individuals, prisoners, and those abroad.
- Amend the Code of Education to ensure that expulsions are solely based on academic performance and conduct related to education.
- Repeal Article 186 of the new Code on Culture to allow independent guides, researchers, and historians to conduct museum tours, ensuring freedom of expression and public access to diverse historical perspectives.

²³ *Code on Education of the Republic of Belarus. (January 13, 2011). Kodeks Respubliki Belarus ob obrazovanii* [Electronic resource] – Mode of access: <https://pravo.by/document/?guid=3871&p0=hk1100243>
Date of access: 12.02.2025

²⁴ Belarus. *Code on Culture* [Electronic resource] – Mode of access: <https://pravo.by/document/?guid=12551&p0=Hk1600413> Date of access: 22.03.2025

RIGHT TO FAIR TRIAL

38. Since 2020, thousands of Belarusians, including youth, have been arbitrarily arrested and detained on political grounds. Those individuals were arrested and detained for exercising their fundamental rights to freedom of expression, association and peaceful assembly, yet they were denied the right to a fair trial.
39. Over 4.5 years since the 2020 presidential elections, 6,824 persons have been convicted in politically motivated criminal cases. Almost all of them were recognized as political prisoners, and around 35% of that number were young people, including no less than 77 students. This includes 11 students arrested on November 12, 2020, and later sentenced to 2 and 2.5 years of imprisonment. Young people detained at the age of 18 to 23 were accused of organizing protests at their universities. All of them were recognized as political prisoners²⁵.
40. Criminal trials were conducted with numerous violations of the rights to due process and to a fair trial. Lawyers faced significant barriers in accessing their clients, while defendants were deprived of the right to confidential communication with their legal representatives. Additionally, lawyers were restricted from reviewing case files properly and were not given enough time to examine evidence or prepare an adequate defense.
41. In some cases, the arrest of young people on politically motivated grounds was recognized as an arbitrary arrest, including the case of a young human rights defender, Marfa Rabkova. She went through a trial in a closed regime with her lawyer being pressured. She was unjustly sentenced to 14.9 years of imprisonment and labeled as a terrorist²⁶.
42. Besides the arbitrary nature of some arrests, some of them were conducted with an extensive use of force. It was also applied to the detainees in detention and during the interrogation. A young human rights defender Nasta Loika reported during a court hearing she was tortured and ill-treated after the arrest and in detention, including with the use of an electric shocker by law-enforcement officers. She was unjustly sentenced to 7 years of imprisonment on the accusation of the incitement of social hatred.
43. The right to a fair trial was also violated in administrative processes. Besides the significant impediments in accessing legal representatives, the defendants often were not properly informed about the reasons for their arrests. Additionally, prosecution witnesses frequently provided testimony anonymously via Skype, undermining the principles of transparency and the right to a fair trial. Moreover, the judges did not take into account the facts and materials proving the inconsistencies related to the grounds for the arrest of the defendants.
44. The practice of holding demonstrative trials in state-funded institutions, particularly universities, raises concerns about further violations of the right to a fair trial. In June

²⁵ Scholars at Risk. (2022, November 20). *Student case, Belarus*. [Electronic resource] – Mode of access: <https://www.scholarsatrisk.org/actions/student-case-belarus/> Date of access: 22.03.2025

²⁶ Viasna Human Rights Centre. (n.d.). *Marfa Rabkova — Political prisoners in Belarus*. Viasna Human Rights Centre. [Electronic resource] – Mode of access: <https://prisoners.spring96.org/en/person/marfa-rabkova> Date of access: 22.03.2025

2024, an off-site court session at the Faculty of Law of Yanka Kupala State University of Hrodna sentenced 23-year-old political prisoners Darya Zayats and Valeryia Dragun to one year in a penal colony under Article 370 of the Criminal Code. This trial exemplified the harsh penalties for dissent and the growing practice of public trials in universities, military enlistment offices, and schools. These trials serve not only as a form of judicial repression but also as public shaming, aimed at intimidating dissenters.

45. The lack of training for judges to conduct proceedings in the Belarusian language effectively makes it impossible to administer justice in it. While the law theoretically allows the use of the Belarusian language in courts, in practice, citizens are often denied this opportunity, further restricting their linguistic rights within the judicial system.

Recommendations:

- Release all prisoners sentenced on politically motivated grounds and restore their civil, political, and academic rights the persons convicted in politically motivated cases.
- Ensure the right to a fair trial for all defendants, without discrimination on political grounds
- Cease systematic initiation of criminal and administrative proceedings based on politically motivated charges.
- Ensure proper legal safeguards and effective remedies against arbitrary detentions.
- Establish clear procedural guarantees to uphold citizens' right to choose Belarusian as the language of judicial proceedings.

FREEDOM OF ASSOCIATION

Recommendations accepted by Belarus during the 3rd UPR cycle: 138.59, 138.60, 138.62, 138.64, 138.184

46. Independent associations and NGOs have faced an unprecedented wave of liquidations, arbitrary and disproportionate prosecution based on the legislative amendments, including the return of the approval principle for holding mass events, criminalizing activities on behalf of an unregistered organization, increased penalties for “actions on behalf of an extremist group”.
47. Over 200 organizations, including the Belarusian National Youth Council RADA²⁷, and many of its member organizations were designated either as “extremist” or “terrorist” formations, subjecting members to severe criminal penalties. In some cases, even those who have fled abroad are subjected to trials in absentia and sentenced to long terms for analytical or scholarly work. Civil society activities have been paralyzed, with activists facing surveillance, harassment, and arrest. Additionally, administrative

²⁷ Viasna Human Rights Centre. (2025, January 10). In 2024, 89 "extremist formations" were recognized, including media, a theater troupe, and public organizations. Viasna Human Rights Centre. [Electronic resource] – Mode of access: <https://spring96.org/en/news/117124> Date of access: 22.03.2025

hurdles and arbitrary legal interpretations have made it nearly impossible for new and existing associations to operate.

48. In 2021, the social networks of 9 independent student unions of the largest Belarusian public universities were recognized as extremist materials. These organizations were formed in 2020 amid the wave of protests to mobilize peaceful demonstrations, coordinate solidarity efforts, and support student activism. Over time, they became vital sources of information, providing updates on protests, legal rights, and academic freedoms.
49. From 2021 to 2024, 1,180 NGOs were forcibly liquidated²⁸, often through raids, asset seizures, and defamation campaigns aimed at dismantling civic engagement. People inside the country avoid joining the NGOs that operate from outside due to the risks of persecution, as well as that many of those who continued their activities, had to flee due to persecution particularly in the period following the 2022 protests and pre-electoral waves.

Recommendations:

- Repeal criminal liability for unregistered organizations and reinstate a simplified NGO registration process.
- Establish independent oversight to prevent arbitrary closures of NGOs and ensure compliance with human rights norms.

SOCIAL AND ECONOMIC RIGHTS

Recommendations accepted by Belarus during the 3rd UPR cycle: 138.219-138.221, 138.223-138.224, 138.78-138.82, 138.225

50. After the 2020 elections, thousands of professionals were dismissed for participating in peaceful protests and strikes. These dismissals affected state and private sectors, where employers faced pressure to purge dissenters from their workforce. Political loyalty reportedly became a hiring criterion, with the State Security Committee screening candidates for prior administrative or criminal cases. Employment discrimination became systemic, with loyalty influencing hiring and promotions. Blacklisting was particularly prevalent in “sensitive” sectors like governance, media, and education and more “neutral” sectors.
51. Small and medium-sized businesses faced persecution for supporting the 2020/21 protests. Businesses that participated in strikes or expressed solidarity with protesters faced severe consequences, including the revocation of licenses, arbitrary inspections, and forced closures. Economic pressure and harassment became a tool for political persecution. For example, presidential candidate Viktor Babaryka and his son Eduard were detained under alleged economic offences. An unofficial three-year ban on

²⁸ Lawtrend. (2024, December). NKO v Belarus [PDF]. Lawtrend. Electronic resource] – Mode of access: <https://www.lawtrend.org/wp-content/uploads/2024/12/NKO-V-BELARUSI.pdf> Date of access: 22.03.2025

registering individual entrepreneurs in Minsk labelled businesses as “unscrupulous” or “unpatriotic”. At the end of 2024, the ban was lifted, but the range of permitted activities was significantly reduced.

52. Students benefiting from state-funded education were compelled to accept government-assigned jobs for 2 to 5 years²⁹, a practice contradicting not only the Constitution of the country but also Belarus’ international obligations. During the reviewed period, the government tightened restrictions, banning remote and part-time work while pressuring universities to discriminate against dissenters. An activist Anastasia Mahamet was reassigned from Minsk to Mahiliow, bypassing the current legal norms. Many graduates resorted to sham marriages, informal employment, or fled abroad to evade obligations, often facing financial penalties. This policy, violating Article 6 of the ICESCR, hindered career growth and employment freedom, leaving young professionals in precarious situations.

Recommendations:

- Amend labor laws to explicitly ban discrimination in hiring, termination, and promotion based on political activity or views. Establish independent oversight to investigate complaints, remove blacklists of employees, and end State Security Committee control over employment decisions.
- Implement a transparent regulatory framework to prevent arbitrary audits, raids, and stigmatization. Restore the full range of activities for individual entrepreneurs.
- Amend the Education Code so mandatory employment applies only to clearly defined “socially significant professions.” Ensure transparency in assignments, allow graduates to refuse distribution without penalties, and permit remote or part-time work to meet international labor standards and promote fairness.

LANGUAGE AND CULTURAL RIGHTS

53. According to Article 27 of the ICCPR and Article 2 of the Universal Declaration of Human Rights, everyone has the right to use their native language without discrimination. However, in Belarus, systematic discrimination against Belarusian-speaking citizens persists across all spheres of public life.
54. As of September 10, 2021, the Reference Database contained 195,130 legal acts, of which only 2,729 (1.4%) were available in Belarusian. Out of 25 legal codes, only 16 have been translated into Belarusian. This not only restricts access to legal information for Belarusian-speaking citizens but also limits their ability to use the language when exercising their civil, economic, social, and cultural rights. For example, most tax forms, legal entity registration forms, and other official documents are approved only in Russian.

²⁹ Academy of Management under the President of the Republic of Belarus. (2022, January). *Law on Amendments to the Education Code* [Electronic resource] – Mode of access: <https://adu.by/images/2022/01/zakon-ob-izmen-kodeksa-ob-obrazovanii.pdf> Date of access: 12.02.2025

55. Human rights defenders report that many political prisoners are denied access to education, libraries, sports facilities, and cultural activities. In places of detention, modern books in Belarusian are often unavailable, while Russian-language books remain accessible. A particularly egregious case occurred in Penal Colony No. 15 in Mahilioŭ in September 2024, where the majority of Belarusian-language books were burned under the order of the administration.
56. State attention and funding are primarily allocated to historical and cultural sites recognized as heritage sites of international or republican significance, as well as monuments of the Second World War. In contrast, local monuments, even those officially listed, lack proper maintenance and are often left to deteriorate due to state inaction or even deliberate destruction. Many sites of historical significance receive insufficient funding and remain in critical condition.
57. A particularly notable case of targeted destruction is the Red Church in Minsk. Following political protests, the authorities closed the church to Catholics on September 26, 2022, citing fabricated concerns about its condition. It was declared hazardous and in need of urgent restoration, yet for more than 2.5 years, the allegedly unsafe building has remained untouched by restoration efforts. As a result, the lack of maintenance itself now threatens to turn the church into a truly dilapidated structure.
58. The revised Code on Culture has further weakened the protection of cultural heritage. It removes provisions on public commissions for safeguarding historical and cultural sites, reflecting a deterioration in public-state relations and the authorities' reluctance to engage in dialogue on cultural preservation.
59. The systematic desecration and destruction of historical and cultural heritage associated with the Polish national minority in Belarus occurs either directly by the state or with state complicity, as no punishment follows such actions. This includes the destruction of graves and memorials dedicated to Home Army soldiers, insurgents of 1863, and repressed Poles in Katyn and Kurapaty. In several cases, these acts of vandalism were preceded by offensive propaganda articles in state-controlled media, further fueling hostility toward Polish cultural heritage.
60. The use and even possession of Belarus' historic national symbols, the white-red-white flag and the "Pahonia" coat of arms, is prohibited and criminally prosecuted. At the same time, the "Pahonia" coat of arms is officially listed as a historical and cultural value of the Republic of Belarus, highlighting the contradiction between state policy and its own legal framework regarding cultural heritage.

Recommendations:

- Ensure the translation of existing normative legal acts into Belarusian to guarantee equal accessibility of legal information in both state languages.
- Amend the Law on Languages to replace the current optional approach with a mandatory requirement for the use of both state languages. Specifically, product labeling (Article 30) and official translations of international treaties (Article 19) should be provided in both Belarusian and Russian, rather than allowing a choice between the two.

- Ensure equal allocation of state funding for the preservation and maintenance of all historical and cultural sites, including local monuments, to prevent their deterioration and destruction including the ones of national minorities.
- Accelerate the restoration of the Red Church and/or resume Catholic services in the building.
- End criminal prosecution for the use or display of the “Pahonia” coat of arms.