



The liquidation of social organisations in Belarus: what happened and what comes next for Belarusian civil society

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In July 2021, in addition to disturbing news on the state of human rights in Belarus typical of the recent situation there, reports on the forced liquidation of non-profit organisations started to emerge.

Within three months, dozens of social organisations – the pillars of Belarusian civil society – had been dissolved through judicial and extrajudicial channels: the Belarusian Helsinki Committee, the Belarusian Association of Journalists, the Association of Belarusians of the World “Batskaushchyna”, the Belarusian PEN Club, the Writers’ Union, and numerous institutions,¹ associations and foundations involved in defending human rights, as well as educational, youth, social and charitable ones. The total number of forcibly-liquidated organisations exceeds 250 and, if we include over 120 NGOs that in recent months accepted “a voluntary decision to self-dissolve” following “an offer they could not refuse” made by the authorities,² it becomes clear that we are dealing with the most extensive purge of the civil sector in the recent history of Belarus. It is unclear whether this constitutes retaliation for activity during the Belarusian protests, a cleansing of the field on the eve of a potential constitutional referendum, a standard cycle of tightening the screws in the civic sector, or simply the suppression of all manifestations of uncontrolled activity in the public sphere. However, we can draw parallels with

1 Institution (Belarusian: *ustanova*, установка) – one of the legal types of social organisations provided for in the Civil Code of Belarus; an organisation established by its owner to undertake managerial, social, cultural or other non-commercial activities, fully or partially financed by its founder. Institutions are registered via an application, whereas establishing a foundation or social organisation requires the issuance of a permit. (See A. Czwółek, *The Third Sector in Belarus. Opportunities and Threats*, Nowa Polityka Wschodnia 2012, no. 1(2)). (editor's note).

2 Unless stated otherwise, the figures on the current status are based on the data as of October 10, 2021.

similar events in the past to outline the context and define the characteristics of this component of political repression in Belarus.

Internal and external context: the dismantling of civil society in the shadow of the migrant crisis and sanctions

With the number of political prisoners in Belarus exceeding 800, and thousands of people charged as criminal suspects for taking part in protest actions or making statements that are not in line with the official propaganda, the process of destruction of the non-governmental sector is not sufficiently acknowledged by the media and the society. The leaders of respected institutions, such as the Press Club and the Office for People with Disabilities, have experienced prison (fortunately, they were released after a few months in jail), while the leader of the Human Rights Centre “Viasna” Ales Bialiatski and several of his colleagues involved in the human rights movement are behind bars again. Activists of the Belarusian Students’ Union have already been tried, while journalists, activists of local communities, leaders of strike committees and ordinary participants of peaceful protests are awaiting sentencing. Hundreds of criminal cases have been initiated for insulting the president, government officials, militiamen, as well as for inciting hostility towards the social group of “law enforcement workers” – on the basis of critical comments in social networks and chat rooms.

The terrorist threat in the country ceased to be only a theoretical possibility: if the authorities’ assurances are to be believed, in 2020–2021, Belarus experienced a real outbreak of domestic terrorism, dozens of terrorist acts, incitement to terrorism, terrorist attacks, coup plots were registered, and the Belarusian railway became the target of sabotage acts inspired from abroad. For the first time, several people have been convicted of terrorism, other criminal cases with terrorism in the background are underway, dozens of citizens, led by former presidential candidate Sviatlana Tsikhanouskaya, are on the lists of people involved in terrorist activities.

The print editions of Belarusian socio-political newspapers have effectively disappeared (with the exception of a few low-circulation editions), while numerous websites and Telegram channels have either been blocked or declared “extremist sources of information”, and the distribution or access to them is punishable by a fine or arrest.

The international community has condemned the repressions and violations of human rights, including the hostile actions of the authorities against the Polish minority and Polish-language schools in the country, whereas the European Parliament has called for the immediate and unconditional release of the leader of the Union of Poles in Belarus, Angelika Borys, the journalist Andrzej Poczobut and other political prisoners. The countries of the European Union, the UK, the USA, Canada, and all those which the Belarusian official propaganda, following the Russian one, now calls “the collective West”, have introduced several packages of sanctions against Belarus, including such unprecedented pressure measures as suspension of flights and sectoral restrictions aimed at the main branches of Belarusian industry (including the most profitable ones – oil processing and mining of potassium salts).

From the perspective of an outside observer, the great number of illegal migrants that engulfed the borders of Lithuania and Poland from the Belarusian side in the summer and autumn of 2021

overshadowed all the other news on the political situation within Belarus. Constructing various scenarios³ for the development and resolution of the migrant crisis on the EU borders for Lithuania and Poland, the EU countries most engaged in Belarusian affairs, has become a more pressing task than forecasting what this refreshed, strengthened and even more brutal authoritarian regime neighbouring the EU will look like.

Through a deliberate policy of using refugees as weapons, accompanied by getting rid of political opponents and ordinary people dissatisfied with the current government, the regime in Minsk has transformed the internal crisis of legitimacy into an external political crisis. In this new “besieged fortress” paradigm, the regime feels comfortable, especially as it can count on military and economic support from Russia (despite all the nuances of relations between Minsk and the Kremlin, in a situation of real danger, the logic of authoritarian internationalism works perfectly). At present, threats to the regime’s stability have assumed an extra-political character, while internal sources of instability have been tamed and intimidated by means of show repressions. They have not only been nipped in the bud; even areas and fields where a threat to the regime could potentially arise are being pre-emptively eliminated. After the introduction and practical application of criminal liability for calling for sanctions, with a crime as vaguely defined as “calling for actions to the detriment of national security”, even just analysing the socio-political situation in Belarus has become dangerous. In the New Belarus, there is no place for institutions independent from the state, such as civil society organisations.

In this context, the liquidation of social organisations in Belarus does not come as a surprise – it is more surprising that they have existed there until now. Can we expect a regime that tortures and murders – and that is causing an onslaught of thousands of unfortunate refugees to force the EU to change its policy and suspend sanctions – to make allowances for civil society organisations? Moreover, as recently as April, Belarusian Foreign Minister Uladzimir Makey warned that the regime would respond to sanctions against the Belarusian authorities by liquidating civil society: “Any further tightening of sanctions will cause civil society to cease to exist. The civil society they care so much about!”⁴ Following the subsequent tightening of sanctions, NGOs are systematically liquidated – as promised.

Against the backdrop of huge mass repressions, the liquidation of social organisations, carried out judicially or extrajudicially, does not seem to be the most objectionable practice in broader opinion, including the international one. The more frequent reaction is probably one of astonishment: “How was it possible – in the totalitarian state of Belarus, where shootings between citizens and KGB agents take place in apartments, where the regime forces a foreign plane to land to intercept an unwanted journalist – that this Mordor allowed legal, registered organisations to be established? How could gender organisations work together with the Belarusian MFA to draft a bill against domestic violence?” A developed and stable civil society contrasts with the political and legal regime that has become entrenched in Belarus as a result of the events of 2020–2021. From this perspective, the purge of civil society organisations does not appear to be a misunderstanding. Rather, it looks like a correction of the strange oversight through which civil society structures (even illegal ones, such as unregistered human rights organisations) were tolerated by the regime and allowed to function.

3 Michał Potocki, *How To Solve The Stalemate On The Polish-Belarusian Border? Possible Scenarios And Their Winner*, Dziennik Gazeta Prawna, August 22, 2021, <https://www.gazetaprawna.pl/wiadomosci/kraj/artykuly/8229662,jak-rozwiazac-pat-na-granicy-polsko-bialoruskiej-oto-mozliwe-scenariusze-i-ich-wygrany.html>. See also all the articles on Belarus in this issue, which is limited to the migration problem: <https://www.gazetaprawna.pl/tagi/bialorus>.

4 В Минске обещают «бомбить» своих: ответом на санкции может стать уничтожение гражданского общества Белоруссии [Minsk promises to “bomb” its own people: the answer to sanctions may be the destruction of Belarusian civil society], Nezavisimaya gazeta, April 11, 2021, https://www.ng.ru/cis/2021-04-11/5_8125_belorussia.html.

Oddly enough, many of the liquidated social organisations remain optimistic. Their representatives openly say that they intend to continue their work, citing, among other things, the experience of the Centre for the Defence of Human Rights “Viasna” and the Belarusian Students’ Association, which were deprived of their registration in the early 2000s (at the same time, the fact that several of these structures’ activists are currently in prison is usually ignored). Thanks to international solidarity, some of the older banned social organisations managed to leave Belarus and find refuge in Georgia, Ukraine, Poland and Lithuania. Some of the liquidated organisations have suspended their public activity, some are still active abroad, and activists from others have joined structures of the so-called “new opposition”. These include the Coordinating Council, the staff of former presidential candidates, the National Anti-Crisis Council, and some Belarusian media outlets that relocated or operate abroad.

Belarusian civil society will never be the same again, even compared to the past thirty years of independence and the Lukashenka dictatorship. The wave of liquidation has affected not only the new organisations active during the 2020 protests, but also the oldest civil society structures (for example, the Writers’ Union, which was founded in 1934). The very existence of a legal political opposition, legal independent media outlets of a socio-political nature, and independent civil society organisations has been called into question.

Below, we outline the general features of the delegalisation of the third sector in Belarus and forecast how it will continue to function in such unfavourable conditions.

Has something like this happened in Belarus before?

Is the current wave of banning social organisations actually extraordinary and unprecedented? After all, the conditions in Belarus for founding and running an NGO have traditionally been called some of the worst in the region, probably comparable only with Azerbaijan and the despotic countries of Central Asia. The purpose of the recent legislative amendments of April–June 2021, which worsen the situation in the sphere of civil liberties, was to legalise the previously-established practices of suppressing protests, rather than to create some new legal basis for persecuting social organisations.⁵ At the very least, the authorities are using long-existent mechanisms to suppress NGOs.

In short, this is not the first campaign of mass liquidation of NGOs in Belarus in recent decades, but it remains unprecedented due to its massive scope, brazen practices in the legal sphere, undisguised political motivation and its scale, which encompassing civil society structures across a variety of sectors and with a range of organisational forms.

Belarusian associations have twice been subjected to large-scale delegalisation campaigns. In 1994, when the special law “On Social Organisations” entered into force, the re-registration of organisations took place without particular losses. Alyaksandr Lukashenka had only just come to power and faced more important tasks aimed at adapting the socio-political system to his needs, including abolishing independent local government and establishing control over parliament and the media. The second half of the 1990s saw the rapid development of the Belarusian civic sector and an increase in the number of organisations, with new ones appearing literally every day in various cities.

⁵ *New Legislative Regulation in the Republic of Belarus as the Authorities’ Response to the Events of 2020 and How It Correlates with International Standards in the Field of Human Rights* (May 2021 by Legal Transformation Center and Belarusian Helsinki Committee) <http://belhelcom.org/en/document/new-legislative-regulation-republic-belarus-authorities-response-events-2020-and-how-it>.

However, as early as 1999, the need to re-register (justified by the new Civic Code that was entering into force) led to significant losses in the sector as hundreds of organisations lost their legal status. According to NGOs, the re-registration was a government-controlled attempt to get rid of particularly inconvenient structures. It is worth noting that the obligation to re-register was introduced by a presidential decree, which created a special commission that assessed organisations' applications and could reject their re-registration requests without providing a reason.⁶ Elements of the rule of law remained and some organisations even managed to assert their right to exist in court. At the same time, in 1999, a ban on unregistered associations was incorporated into Belarusian law (in 2005–2019, violating the ban could lead to criminal liability).

After re-registration, which took place within a few months in 1999, of the 2502 associations that had existed in Belarus, just over half remained. According to statistics from the Ministry of Justice, 1,537 associations applied to the registration authorities. Re-registration was denied to 211 of them. Those that did not go through the re-registration process included ones that had lost momentum ("dead souls"), but also many active and respected social organisations, such as the Belarusian Association of Young Politicians, the State Centre for Civic Initiatives, the All-Belarusian Voters' Club, the Social Scientific and Analytical Centre "Belarusian Perspective", the Union "Pogon", the Centre for the Defence of Human Rights "Spring-96", and others. Some of them later managed to register as new organisations, though.⁷

In general, although OSCE standards on the right to freedom of association consider campaigns to re-register social organisations, with depriving them of their legal status, a disproportionate restriction,⁸ the losses to the sector as a result of the 1999 campaign appear to have been minimal. The organisations managed to carry out a joint "SOS-Third Sector" campaign for mutual assistance and legal support in the re-registration process.

In 2003–2004, the sector was hit by another set of restrictions reminiscent of the current campaign to ban social organisations, when a campaign of lawsuits for the liquidation of associations swept across the country rapidly. This time, the most influential regional organisations, some human rights structures and youth movements were eliminated. The role of courts seemed less important – in just a handful of cases, liquidation proceedings filed by the judicial authorities ended with an agreement between the parties (in which the organisation corrected the shortcomings and the state cancelled the liquidation proceedings). The liquidation campaign broke out in the spring of 2003. According to observers, it was connected with the intention to dissolve the organisations that had been the most active during the presidential election campaign in September 2001.

As in 1999, the civic sector reacted promptly to the wave of liquidations. In the spring of 2003, the "Our Solidarity" campaign was launched and a system of collective legal support for social organisations was developed. Despite the evidently political motivation when it came to liquidating associations,

6 *Право на объединение Беларусь 1994–2004* [The right to unification. Belarus 1994–2004], Minsk 2004, p. 11, http://kamunikat.org/usie_knihi.html?pubid=21252.

7 Data from O. Smolianko, J. Chausov, *Государственная политика в отношении некоммерческих организаций в Республике Беларусь в контексте европейских стандартов свободы ассоциаций* [State policy towards non-profit organisations in the Republic of Belarus in the context of European standards of freedom of association], Minsk, 2016, p. 56.

8 Changes in association laws should not automatically trigger the requirement to re-register. Re-registration may be necessary in exceptional cases of fundamental legal changes. In these situations, the authorities should allow a sufficiently long transition period for the organisation to comply with the new requirements. In any case, even if the organisation is not re-registered, it should be able to continue its activities and this should not be considered unlawful – para 165 OSCE/ODIHR and Venice Commission Guidelines on Freedom of Association (2015), <https://www.osce.org/odihr/132371>.

contacts with the authorities were not broken; officials from the Ministry of Justice and members of parliament took part in public consultations on these issues. The political motives for the liquidation were mentioned in the state media, but the judicial authorities stressed that the liquidation of the associations was justified by specific shortcomings. As a result of protests and petitions, liquidation cases across the country were halted, but later resumed. Gradually, the wave of liquidations subsided and – although it led to the closure of the Centre for the Defence of Human Rights “Viasna”, the Independent Society for Legal Research, the Grodno “Town Hall”, the Brest “Tower”, the Gomel Civic Initiatives, and soon the Independent Institute for Social, Economic and Political Research – we cannot conclude that the purge targeted the entire sector. The total number of forced liquidations in 2003–2005 amounted to 157 social organisations; in addition, 110 organisations decided to self-liquidate.

At the end of this period, in 2005, a redraft of the law “On Social Organisations” was adopted, but this did not require them to re-register. Organisations simply had to file amendments to their statutes and were given several years to do so. The authorities were quite liberal when deadlines were missed (the 2021 trials on the liquidation of associations include organisations that have not filed amendments to their statutes in accordance with the redraft of the 2005 law).

Which organisations are being liquidated and why

As in 2003, the current wave of liquidations is openly linked to retaliation after the presidential election campaign. The difference is the scale: the number of social organisations forcibly liquidated over the course of 2021 (by court or registration body decision) exceeds 250, and no fewer than 120 organisations have started the liquidation procedure on their own initiative (actually, as a result of a firm recommendation by state bodies). The sector will shrink by more than 10% and its numbers will return to the level of the mid-2000s. Although the number of associations exceeded 3,000 in 2020, the number of newly-registered organisations was the lowest a decade. It is likely that, in 2021, the number of new associations will further decrease.

Another characteristic of the current delegalisation campaign is that it covers various organisational and legal forms of non-profit organisations as stipulated by Belarusian law. The 250 organisations liquidated include associations (we know of 80 liquidation lawsuits; in addition, 62 associations decided to dissolve at their own request), foundations (which can only be liquidated through the court. We know of 11 liquidation lawsuits against foundations on judicial bodies’ initiative and 4 cases in which foundations’ founders asked the court for liquidation on their own initiative), institutions (154 liquidations by court or registration body decision and 60 on the founders’ own initiative), and associations (unions) of legal persons (5 liquidations, all on the registration body’s initiative).

Increase in the number of social organisations in Belarus (based on Ministry of Justice data)

	January 1, 2010	January 1, 2011	January 1, 2012	January 1, 2013	January 1, 2014	January 1, 2015	January 1, 2016	January 1, 2017	January 1, 2018	January 1, 2019	January 1, 2020	January 1, 2021
Number of newly-registered social organisations (results from the previous year)	94	134	118	111	70	86	106	116	150	92	98	84
Total number of social organisations (by date)	2225	2325	2402	2477	2521	2596	2665	2731	2856	-	2995	3021

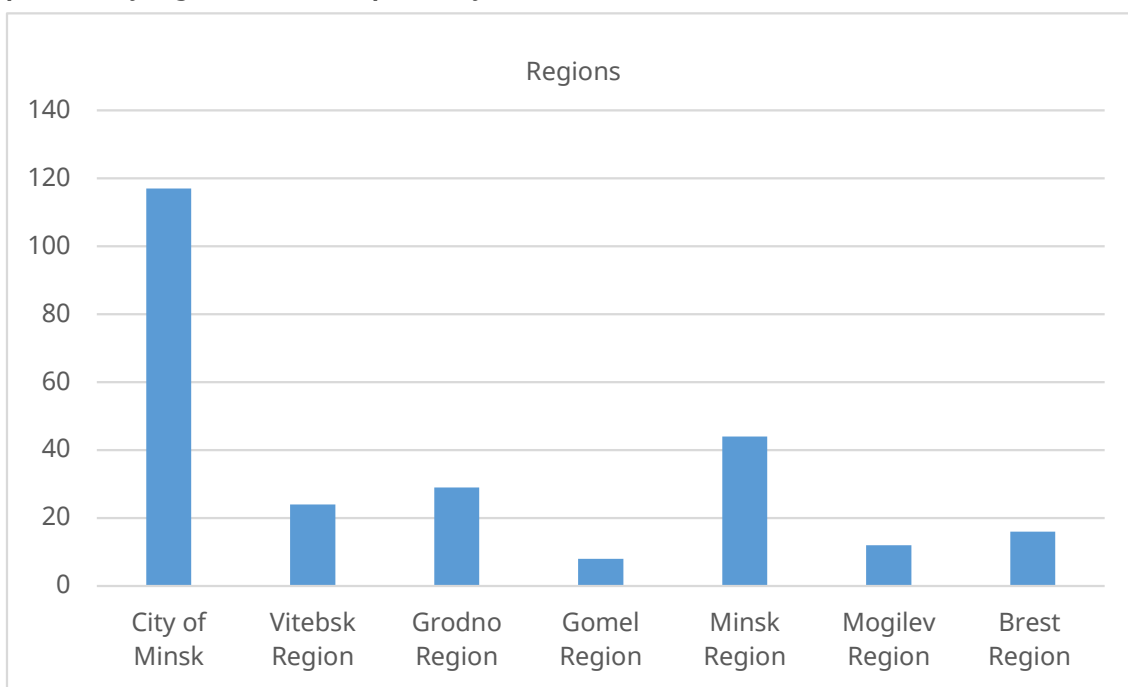
Increase in the number of foundations in Belarus (based on Ministry of Justice data)

	January 1, 2010	January 1, 2011	January 1, 2012	January 1, 2013	January 1, 2014	January 1, 2015	January 1, 2016	January 1, 2017	January 1, 2018	January 1, 2019	January 1, 2020	January 1, 2021
Number of newly-established foundations (results from the previous year)	8	14	21	22	11	11	11	16	22	-	9	-
Total number of foundations (by date)	84	99	119	139	145	155	164	172	195	-	217	227

According to Lawtrend and the Bureau of European Expertise and Communication, organisations analysing data on liquidation lawsuits against social organisations and foundations, as well as information on the forced liquidation of institutions and associations of legal persons by registration authority decision, the liquidation process covered 250 non-profit organisations: 154 institutions, 80 social organisations, 11 foundations and 5 associations.

Every region was affected, although Minsk's share was definitely higher due to the disproportionate development of the sector there. National and international associations are registered in the capital, as well as most respected national NGOs. Interestingly, for the time being, the Gomel Region has been less affected by liquidations, although there are quite a few NGOs there (including ones dealing with Chernobyl-related issues).

Forced liquidations (social organisations, foundations, institutions and associations of legal persons) by region (source: <https://bit.ly/3xwxuKk>)



The liquidations began in December 2020, when a registration authority's decision deprived the institution "Polesie Goodness" from Pinsk of its registration. Then, in the first half of 2021, forced liquidation affected the regions of Brest and Grodno. However, in the first half of the year, these were isolated cases and only concerned institutions. Interestingly, the authorities combined the following methods to dissolve the institution: a decision by a registration authority (usually at the prosecutor's office's request), followed by liquidation in court.

The first signs that social organisations might also face liquidation appeared in June 2021, when two associations were liquidated as a result of a lawsuit by the Ministry of Justice: Analytical Centre "Strategy" and the Belarusian Association of Female Lawyers. The basis for liquidation was their failure to submit obligatory annual reports for over three years, so there seemed to be formal grounds. However, in similar situations in the past, the judicial authorities had limited themselves to less severe sanctions: sending reminders. The new practice of conducting total inspections of social organisations was also dangerous: The Ministry of Justice demanded that numerous associations submit huge stacks of documents, which translated into fulfilling dozens requirements covering several years of activity: from lists of members with personal signatures to contracts, original resolutions, membership applications, and so on. As it turned out later, submitting all the required documentation made it easier for the registration authorities to prepare lawsuits for the liquidation of the organisation.

The liquidation campaign gained full momentum in July, in the case of institutions that can be liquidated by a registration authority at the tax inspection or prosecutor's office's request, without a court



ruling. Decisions on liquidation in accordance with a simplified procedure were made in just a few days. The old adage about the organisational and legal form of non-profit organisations turned out to be true: they are easy to register, but also easy to liquidate. At the same time, the initiators of the forced liquidation of institutions did not care about the legal basis of their actions very much. Initially, many institutions in Minsk received information about liquidation due to failure to start economic activity, which non-profit organisations are not allowed to do (later, these statements were withdrawn and new ones were sent out, citing “insufficient activity” as the allegedly lawful explanation for the liquidation). An appeal is possible in these kinds of cases, but court proceedings do not suspend the liquidation decision. For this reason, the dissolved institutions and associations of legal persons did not make wider use of this option.

When foundations and social organisations did not comply with suggestions to request self-dissolution, the authorities initiated liquidation lawsuits. For local organisations, this meant a lawsuit at the regional court or Minsk city court and, for national and international organisations, a lawsuit at the Supreme Court. In some cases, the organisations received written warnings, which later, in case where a liquidation lawsuit was filed, enabled them to postpone the prosecution for several months. In addition, a few organisations were not subject to a liquidation process; rather, their activities were temporarily suspended (for a few months) in order for them to submit additional information. Later, some of them were subject to court cases with the intention to liquidate them anyway.

The most common grounds for liquidation are: reports to the registration authority were not submitted or were submitted in an improper manner; the set of documents required during the total inspection of May-July was not submitted on time; objections concerning the legal address; the organisation did not submit corrections or provide missing information, which became the basis for a written reminder or suspension of activity (however, reminders were not always sent; sometimes, a liquidation lawsuit was filed immediately).

There were also other objections. Three groups of grounds for extraordinary liquidation can be identified.

The first group were letters or requests from security bodies indicating that the organisation was involved in extremist activities or other illegal activities. These requests were unjustifiably treated as uncontested evidence during trials. From the start, many of the NGO closure lawsuits in Minsk were based on letters from the notorious Main Office for Fighting Organised Crime and Corruption (GUBAZiK), while the content of the charges and reasons for classifying the organisation’s activities as extremist remained unknown or covered by the secrecy of the preceding investigation. The Minsk city court accepted these lawsuits, thereby deeming the extracts from criminal cases not yet considered by the court sufficient evidence to liquidate the organisation in a civil trial. In certain cases, the basis for liquidation was the organisation signing a statement recognising the opposition Coordinating Council as the legal representation of the Belarusian people.

The second group of irrational grounds for liquidation is also related to the mass inspection of organisations by the registration authorities. During the campaign led by the judiciary, other official structures conducted more brutal actions against civil society. For example, on July 14, the security forces raided the offices and homes of board members of dozens of organisations. This was accompanied by arrests and the seizure of documents and computers. The organisations’ offices were sealed and access to them was forbidden, which meant that they lost access to the documents required by the authorities of justice stored there (or the documents and computers were completely seized by the

investigators). Along with the legal liquidation of social organisations, the launching of criminal cases against their leaders and activists for participating in protests (real or alleged) is another characteristic of the new campaign to ban NGOs.

It is worth noting that, in many cases, failure to comply with the obligation to publish financial statements, first introduced in 2021 in accordance with the Law on Combating the Financing of Terrorism, constituted the basis for liquidating social organisations. Even if the reports were published or submitted to the Ministry of Justice, the authorities still sought to find inaccuracies in them and include this legal basis in the list of charges, ensuring the liquidation of influential and reputable organisations.

In this way, Makey's promise to dismantle civil society organisations was largely fulfilled. It is worth observing that apart from this message to the West, the campaign liquidating democratic and independent civil society organisations was also justified in the opposite direction – towards Russia. Lukashenka had informed Russian President Vladimir Putin about his intention to liquidate pro-Western organisations on the eve of the liquidation campaign and the day before the *siloviki* [the security forces] raided NGOs' offices.⁹ For some reason, this moment escaped most analysts' attention, but non-profit organisations were liquidated less to eliminate hostages and intimidate the West, as it is commonly believed, and more as a personal gift or message to Putin, in whose eyes social organisations in Russia and Belarus represent the real threat of a colour revolution.

The Belarusian president and his intelligence forces know very well that the driving force behind the Belarusian uprising of 2020 was by no means NGOs and charitable institutions, but rather business and the IT industry, entrepreneurs and the self-employed, young people and those in the liberal professions. Social organisations have been striving to create a long-term foundation for change in the country, but they have not been involved in plotting revolution in Belarus in a long time. Instead, they have banked on advocacy, in which good relations with the authorities mean much more than good relations with foreign donors. Of course, social organisations provided human resources for the revolution (or rather, for the post-revolutionary protests), but no more so than the official diplomatic corps and the structures of force that served to recruit the cadres of the New Opposition organisations abroad, including the Coordinating Council and organisations such as ByPol.

In parallel with the liquidation of social organisations, other independent civil society structures are under pressure, too. For example, an amendment to the Law on Advocacy in May has made it impossible for private advocacy offices to operate. As a result, 94 more non-commercial organisations should be added to the list: the 94 advocates' offices (as of July 1, 2021) that had to cease to operate within five months (by November).

Numerous recently-announced bills envisage strengthening control over NGOs, if not potential liquidation. For example, sport organisations may be seriously restricted by the need to obtain special accreditation authorising them to engage in activities in the sphere of physical culture and the development of sport. The proposed liquidation of social councils in the area of culture, which provides for the complete (!) withdrawal of the chapter on social control from the code on culture, is also disturbing.

⁹ Лукашенко рассказал Путину про борьбу Белоруссии с прозападными СМИ и НКО [Lukashenko told Putin about Belarus' fight against pro-Western media and NGOs], https://lenta.ru/news/2021/07/13/lukashenko_zapad/.

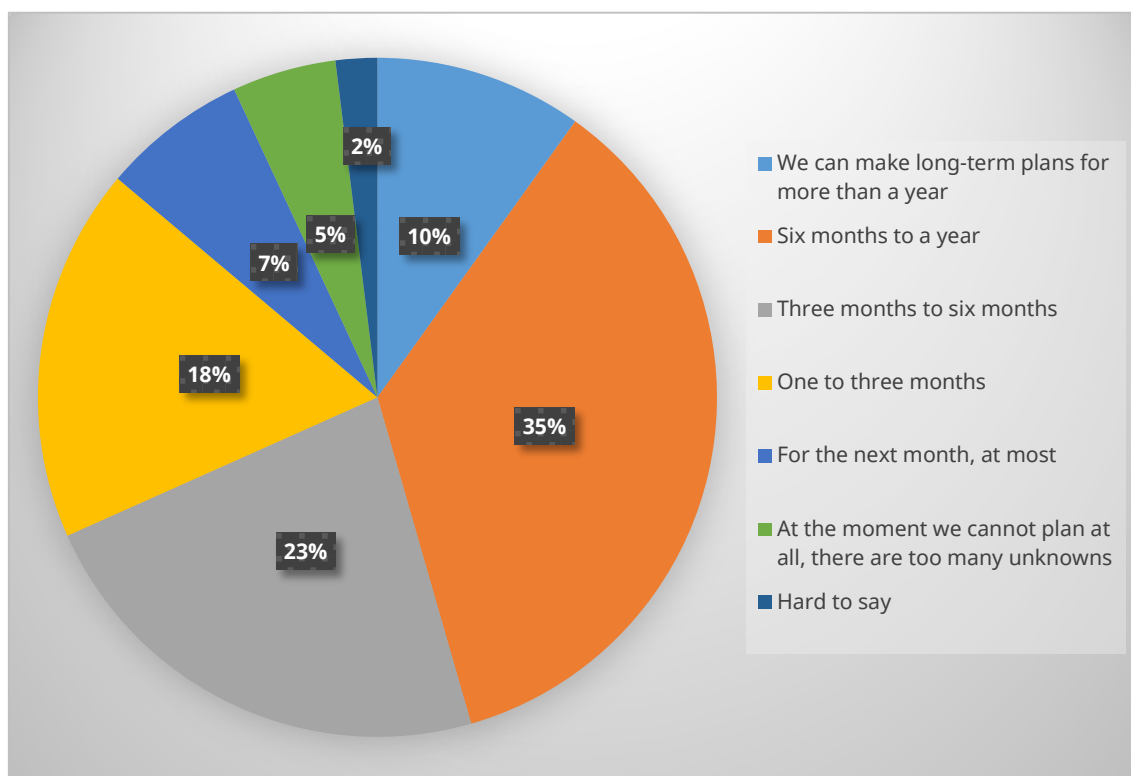
Potential consequences

The campaign to liquidate organisations in Belarus is continuing and it is too early to speak of it ending. However, it is likely that the main blow has already been dealt and that more individual cases will follow, like during the liquidation campaign of 2003.

Will any legal organisations remain in the Belarusian civil sector? This remains an open question. For now, some independent organisations have remained registered, but no one can guarantee that they will not be liquidated if the conflict with the outside world further escalates. It is worth concluding this short review of the campaign against NGOs in Belarus on this note of uncertainty.

To illustrate this uncertainty, the chart below shows the results of a poll conducted among Belarusian organisations concerning their plans. It found that more than half of the organisations polled are not planning more than a few months ahead. Since the poll was conducted in May, the level of uncertainty has only increased.¹⁰

How far ahead can your organisation currently plan its activities with relative certainty?



It is possible that the adoption of a new redraft of the law “On Social Organisations”, announced later in 2019, will pose a new challenge for those organisations. Parliament has sent the draft to the government for fine-tuning and stricter provisions may follow. Although the law did not provide for re-registration before and Ministry of Justice officials claimed that this will not be required, in the

¹⁰ The chart was presented within the framework of the study *The State And Current Needs of Belarusian Civil Society Organisations In The Situation of Political Crisis. Report on The Results of The Survey*, conducted from January to May 2021 (before the mass liquidation campaign) by the SYMPA organisation, which was forcibly liquidated in July. The author familiarised himself with the study during a presentation at the IX Congress of Belarusian Researchers (Kaunas, Lithuania, October 1–3, 2021), <http://sym-pa-by.eu/ru/articles/otchet-po-rezultatam-issledovaniya-sostoyaniye-i-aktualnye-potrebnosti-belarusskikh-organizacii.html>.

current conditions the temptation to subject all registered social organisations to yet another vetting process may prove stronger.

Work is also underway on a draft law on the registration of legal entities, which may spell the end of a system providing institutions with as easy access to registering as commercial organisations by filing an application. Lukashenka's constant appeals to put this sphere "in order" may result in new restrictive initiatives. In fact, registration of new institutions in the country is almost blocked, without any legal grounds. It is alarming that, in his speeches, Lukashenka demonstrates an unprecedented level of knowledge about the legal and organisational forms of NGOs, and portrays them as dangerous and worthy of urgent intervention. Apparently, in the notes he finds on his desk, he received information that the strict control of foundations' and associations' activity by the Ministry of Justice resulted in this form of institution becoming the dominant form for new and most dynamic initiatives.

Lukashenka's already-announced move to introduce regulations recognising only mass and regime-controlled associations – most of which date back to the Soviet era and have never functioned beyond state control – as civil society organisations poses a threat. These could include the state youth organisation, the veterans' organisation, the women's organisation, the only official (and controlled) trade union, and the single mass political movement – a corporate structure in the utmost sense, modelled on the Soviet paradigm.

Nevertheless, it is already possible to predict how the civic community landscape in Belarus will be shaped, regardless of the legal format. It will be fundamentally different from what donors and implementers supporting the development of the non-governmental sector in the country are used to.

Firstly, the role of the GoNGOs and structures created by the authorities will be visibly strengthened at the expense of independent social organisations. The Union of Journalists will consciously take over functions previously performed by the Belarusian Association of Journalists (BAZ). The regime has its own Union of Writers, too. Youth initiatives will be controlled to a greater extent by the BRSM, for the simple reason that other legal forms of youth activity, without the risk of repression, will simply not be available in many places. In other spheres, the influence of legal and state-controlled organisations will also increase.

Secondly, the influence of Belarusian diaspora organisations will increase, as will that of those NGOs whose leaders have left and moved most of their activities abroad. In the free world, these structures will have more opportunities to attract donors, resources and crowdfunding, as well as to express their opinions freely and propose projects. Earlier, some Belarusian social organisations moved functions and services that could not be performed in Belarus abroad while the decision-making centre remained in Belarus (Barys Zvozkau's Belarusian Human Rights Centre in Vilnius is a significant example). Today, we can predict that leaders and managers, as well as the decision-making centres themselves, will move abroad.

Thirdly, illegal civic structures will remain in the country, working underground or semi-underground. The regime will deliberately push them abroad or associate them with terrorist groups and those advocating violent forms of protest, with guerrillas and saboteurs. Whether this strand of civil society will survive this test and continue its educational, charitable and social activities, advocating and fighting for human rights independent of the authorities remains to be seen. Regardless of the optimism of some leaders of liquidated social organisations, who intend to continue their activities regardless of the circumstances, preserving any kind of legal basis and status remains crucial for

these organisations' number and stability. Hope is offered by organisations such as the Charitable Foundation "Chance" founded by former chairman of Belgazprombank Viktor Babaryka, which is continuing its work.

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