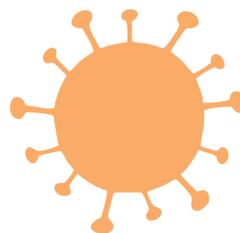


CORONAVIRUS IN BELARUS:

IMPACT ON HUMAN RIGHTS



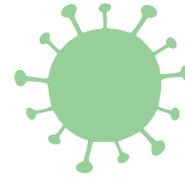
MARCH 2020 - FEBRUARY 2021



With the support of Human Constanta, in March 2020, covidmonitor.by was launched, a website that contains information on how the authorities in the Republic of Belarus respond to the situation with COVID-19.¹ On the site you can see the chronology of statements, actions, reactions of government agencies. It also collects regulatory legal acts adopted by the state and expert opinions on certain actions. Every restriction imposed by the state must be legal, proportionate and non-discriminatory. Information is collected for history in order to further analyze and analyze everything that has been and has not been done.

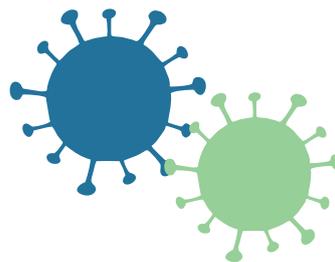
In this report, we want to summarize and record the practice that has developed in Belarus during 2020 and describe the most outstanding situations.

¹ CoronaVirus Disease 2019 — hereinafter referred to as COVID-19.



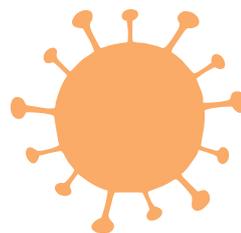
CONTENT

Introduction	4
Conclusions	5
Impact on daily life	7
Impact on work	8
Impact on education	9
Work of medical institutions	11
Restriction of freedom of movement	12
Elections	15
Impact on certain (vulnerable) groups	17
People in closed institutions	17
People with homelessness experiences	19
People with disabilities	19
Foreign citizens	19
Discriminatory incidents	23
Football and society	24
Digital rights and freedoms	26
Access to official information	26



INTRODUCTION

According to the World Health Organization (hereinafter — WHO), an outbreak of coronavirus infection COVID-19 was first reported in December 2019 in Wuhan, China. Since February, coronavirus infection has begun to spread in the European part of the world. Following the instructions of the WHO, the governments of neighboring countries and more distant countries began to take large-scale measures in the field of public health, active measures to curb the spread of the virus. However, a number of questions and concerns arise about how states respect and interpret human rights standards in the times of crisis. Thus, the outbreak of COVID-19 has become a serious challenge to human rights. Belarus is no exception in this regard.



CONCLUSIONS

Quarantine has not been introduced in Belarus. The attitude to the pandemic and the daily practice based on this throughout the year was distinguished by a lack of synchronization in the actions of various government agencies.

A unified approach to changing the working regime in the country has not been developed, and the choice of measures remains at the discretion of managers at various levels.

Despite the fact that COVID-19 has penetrated into all spheres of life, including labor relations, the state has adopted only a number of recommendations in this area. Thus, the largest possible number of people were recommended to be transferred to a remote form of work.

Belarusian schools have not been transferred to online education due to the rise of COVID-19 in the country. Applicants with COVID-19 were in a vulnerable position, as graduates, patients with COVID-19 or contacts of the first level who were in self-isolation were exempted from passing the final exams, but no special measures for them were provided during the Centralized Testing, which forced many of them postpone admission until the next year, or take it, putting other applicants at risk.

The Ministry of Health actively responded to the pandemic primarily by adopting various kinds of regulations and recommendations. We can mention the practice of re-profiling various medical units for the treatment of COVID, the controversial regulation on allowances for working with patients with COVID-19 and the beginning of vaccination in the country.

In April, mandatory self-isolation for 14 days was introduced for a number of individuals. At first, they approached its observance quite harshly and brought them to justice, not always understanding the situation in detail, and by the end of the year, people noted that the majority did not observe and did not control the rules of self-isolation. In December, Belarus restricted the exit of its citizens from the country, but only along the land border, which raised doubts about the appropriateness and proportionality of such a measure.

During the elections, the state made the most of COVID-19 by introducing new restrictions: sending invitations to international observers too late, limiting the number of observers at polling stations, preventing most journalists from entering the CEC press center and prohibiting personal filing of complaints.

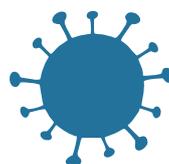
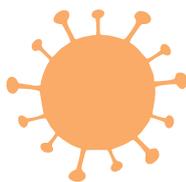
The spread of COVID-19 has had a great impact on the situation of foreigners in Belarus. With the introduction of restrictive measures at border crossings and the suspension of transport links, many foreigners “got stuck” on the territory of Belarus, but the government of Belarus refused to introduce any additional measures to resolve the situation. The legal documents governing the procedure for extending the temporary stay (registration) of foreigners in Belarus, expulsion (deportation/expulsion/extradition) of foreigners from the territory of Belarus were not adopted.

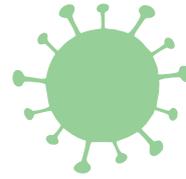
COVID-19 has negatively affected the situation of people in closed institutions. The state has banned visits with relatives, contacts with lawyers have been limited, and in a number of institutions prohibited. Restrictions were introduced, and later parcels were banned for those administratively arrested in the temporary detention center in Akrestsina Street and in the pre-trial prison in Zhodino.

Other vulnerable categories — people with disabilities, people with experience of homelessness, needed more support from the state. Basically, the support was expressed in the provision of personal protective equipment for people working with these groups.

At the beginning of the pandemic, there were cases of intolerance in society towards people with presumably Asian origins. Football players and a number of cultural workers were exposed to a greater and non-reimbursable risk due to the fact that they were forced to play because of the ongoing championship in Belarus and to perform at state-organized holidays.

The biggest problem in the field of digital rights and freedoms and COVID-19 is access to information: lack of complete statistics from the Ministry of Health, lack of regular press conferences, persecution of independent journalists for spreading information about COVID-19.





IMPACT ON DAILY LIFE

According to the Ministry of Health, the first case of COVID-19 in Belarus was officially confirmed on February 28, 2020. As of March 18, 2020, Belarus found itself isolated from all neighboring countries, including the Russian Federation. By April 30 2020, 14 027 people were registered with a positive test result. 89 people died.

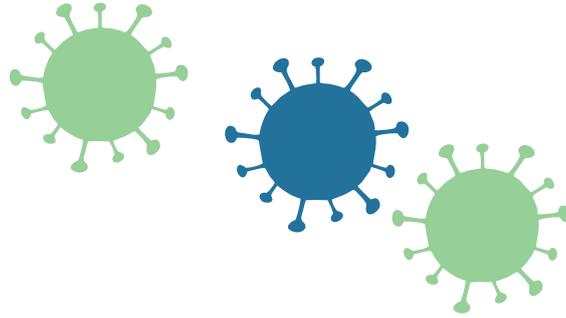
No quarantine or a state of emergency was introduced in Belarus. The first large-scale measures to curb the spread of the virus were taken only in mid-November, when the mask regime was introduced everywhere in the regions of the country, accompanied by the establishment of some restrictions. The decision to implement this measure was not under the jurisdiction of the republican government bodies, but was passed down to the level of executive committees in the regions (in fact, it has been in effect throughout the country since November 18).

The attitude to the pandemic and the daily practice based on this throughout the year was distinguished by a lack of synchronization in the actions of various government agencies. Thus, in Belarus, the Major League of the country's football championship was not even suspended, the holidays were celebrated on a large scale on May 9 and July 3, and large-scale festivals “Slavianski Bazaar” and “Alexandria Gathers Friends” took place. At the same time, the president postponed his annual message to parliament amid the pandemic; the program of the City Days throughout the country was changed. There was no unified approach to organizing various events even within the boundaries of one calendar month: against the background of the cancellation of events held by individual departments (Ministry of Information²) and theaters³, Belarusian State Circus announced the resumption of its activities after downtime due to coronavirus (October 2020).⁴

² <https://interfax.by/news/obshchestvo/society-different/1285468/>

³ <https://afisha.tut.by/news/culture/703017.html>

⁴ <https://interfax.by/news/obshchestvo/kultura/1284763/>



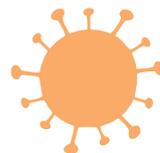
IMPACT ON WORK

In October, the Ministry of Health published an expanded list of recommendations for the prevention of COVID-19, mainly affecting the process of organizing work.⁵ According to the document, each organization should develop local documents that determine the organization's work plan in the current epidemiological situation for COVID-19 infection, including when registering cases of the disease among employees of the organization.

“The maximum possible number of employees should be transferred to distant work in compliance with the recommended measures,” — says the document, the full text of which is published on the website of the Ministry of Health.⁶

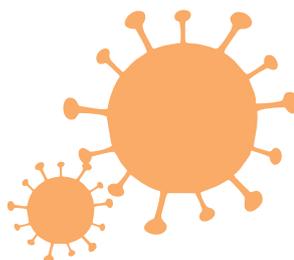
The department clarified that the transfer of workers to distant work is carried out in accordance with the Labor Code, and this is primarily subject to persons from risk groups in accordance with official recommendations.

Also, the published document defines the rules for disinfecting premises, informing workers about the danger of COVID, ensuring the ability to take all precautions to prevent the spread of this infection. The guidelines also cover the issue of social distancing in organizations. Rules were developed separately for certain types of activities, such as trade, catering, passenger transportation and others.



⁵ <https://interfax.by/news/zdorove/raznoe/1285454/>

⁶ http://minzdrav.gov.by/ru/novoe-na-sayte/detail.php?ID=330254&spphrase_id=238130



IMPACT ON EDUCATION

The first registered (February 28) patient with coronavirus was a student of the Belarusian National Technical University from Iran. From March 1, studies at BNTU continued according to individual schedules. Students of a number of universities asked for the introduction of quarantine, but on March 25, the Ministry of Education officially announced that it considered the introduction of quarantine inappropriate. Only mass events were canceled or postponed to a later date and the schedules of classes were adjusted: universities shifted the start time of classes in order not to allow crowded transport during rush hours and to divide the flows of passengers who go to work and study.

In higher, secondary specialized and vocational educational institutions, it is recommended to exclude the conduct of group classes in classrooms and to organize the transition to partial distance learning, training on individual schedules and other methods of obtaining education; measures were also taken to find students at the place of study without leaving the place of permanent residence.⁷ This decision was made by the Minsk City Executive Committee as part of adjusting measures for the spread of COVID-19.

Belarusian schools have not been transferred to online education due to the rise of COVID-19 in the country. *“The decision on quarantine can be made only by the Ministry of Health. We do not give any additional recommendations yet. All the necessary measures in educational institutions have been observed, and there is no reason for unnecessary concern”*, — said the press secretary of the department Lyudmila Vysotskaya.⁸ However, the continuation of offline learning may also be due to the fact that a single educational online platform for distance education in Belarus should be completed only by the beginning of 2021.⁹

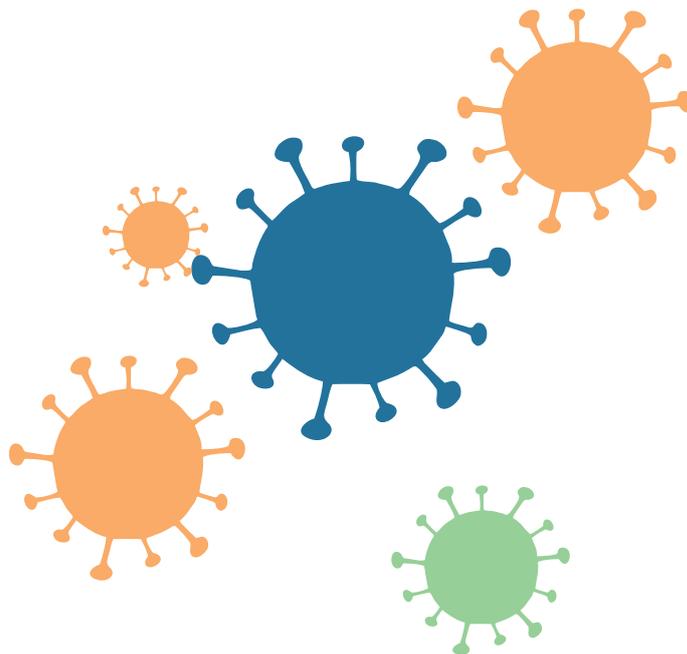
⁷ <https://minsk.gov.by/ru/news/new/2020/08/18/1624/>

⁸ <https://interfax.by/news/obshchestvo/obrazovanie/1284848/>

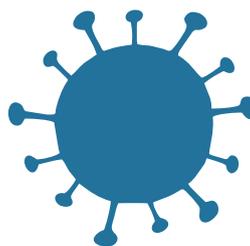
⁹ <https://interfax.by/news/obshchestvo/obrazovanie/1284848/>

School leaving exams were neither canceled or rescheduled, but had to be held in a distant manner. At the same time, it was decided to conduct centralized testing two weeks later and begin on June 25th. Graduates with COVID-19 or contacts of the first level who are on self-isolation are exempted from passing final exams, but no special measures are provided for them in the CT, which will force many of them to postpone admission until next year, or to pass, putting other applicants at risk.

At the beginning of the new academic year (2020–2021), the Ministry of Health published a 20-page manual with recommendations for organizing the educational process in all educational institutions of all forms of ownership in the context of the spread of COVID-19.¹⁰ The recommendations did not provide for widespread adoption of distance learning.



¹⁰ <http://minzdrav.gov.by/upload/dadvfiles/letter/metod-rekomend.pdf>



WORK OF MEDICAL INSTITUTIONS

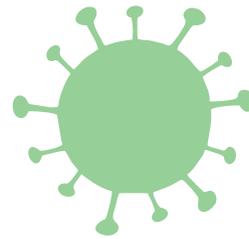
The Ministry of Health took the most active role in responding to the consequences of the pandemic: the department was actively involved in rule-making activities, adopting various kinds of regulations and recommendations regulating both the processes of providing medical care to patients with COVID-19 and the work of individual service sectors in a pandemic.

Throughout the year, the practice of re-profiling various medical units to work with patients with coronavirus infection, based on the deterioration of the current epidemiological situation at that time, continued; with the normalization of the situation with the spread of coronavirus infection in the country, medical institutions returned to normal operation.

The pandemic has raised questions of additional incentives for health workers, with the aim of which in April the president signed a decree “On material incentives for health workers”. The decree turned out to be difficult to implement and understand, which caused many complaints and doubts about the full support of medical workers by the state. So, for example, copayments began only from the day when the patient's positive test came, despite the fact that the person could have been in the hospital for several days.

On December 29, the first batch of the Russian Sputnik V vaccine arrived in Belarus and mass vaccination began. The first to be vaccinated will be medical workers, teachers and those specialists who, due to the peculiarities of their profession, have a lot of contacts with people. Vaccination will be carried out on a voluntary basis.¹¹

¹¹ <https://news.tut.by/society/713073.html?c>



RESTRICTION OF FREEDOM OF MOVEMENT

In April, mandatory self-isolation for 14 days was introduced for a number of individuals. Self-isolation rules apply to those arriving from countries where cases of COVID-19 infection are recorded, contacts of the 1st level, contacts of the 2nd level (in the presence of one or more respiratory symptoms). The fact that a citizen has contact and its level must be confirmed by officials of bodies and institutions carrying out state sanitary supervision, state bodies that manage activities in the field of sanitary and epidemiological well-being of the population.¹²

Citizens arriving from countries in which cases of COVID-19 are recorded should not leave Belarus before the expiration of the 14-day period of self-isolation.¹³ Individuals on self-isolation should not leave their place of residence (stay). To purchase goods, you need to use the services of online stores.¹⁴ At the same time, direct contact with the suppliers of goods should be excluded.

Assessment of compliance with the requirement of self-isolation is assigned to the local hygiene and epidemiology centers. In cases where the self-isolated person will be absent from the place of residence or violate the rules of self-isolation, the centers of hygiene and epidemiology, together with the police, should take measures to establish his whereabouts and the reasons for non-compliance with self-isolation. For citizens who do not observe self-isolation,

¹² Resolution of the Council of Ministers of April 8, 2020 No. 208 “On the introduction of a restrictive measure”.

¹³ Resolution of the Council of Ministers of March 25, 2020 No. 171 “On measures to prevent the import and spread of infection caused by the coronavirus COVID-19”.

¹⁴ Resolution of the Ministry of Health No. 24 of March 31, 2020 “On the rules of self-isolation and the form of a questionnaire for persons arriving from countries where cases of COVID-19 infection are registered”.

administrative protocols are drawn up under Article 23.4 of the Code of Administrative Offenses “Disobedience to a lawful order or demand of an official in the exercise of his official powers”. Compulsory hospitalization and treatment are allowed.

There are cases when fines were imposed on people who did not even know that they should be in self-isolation. The situation is aggravated by the fact that the consideration of such administrative cases takes place via Skype. Such an order of the procedure does not ensure the principle of transparency and openness.¹⁵

Certain steps were taken by the state in the second half of 2020, but their proportionality raises doubts. Since November 1, Belarus has temporarily suspended border crossings for foreign citizens and stateless persons at ground checkpoints, simplified checkpoints, railway stations, and river ports in order to prevent the spread of infection caused by COVID-19.

In December, the crossing of the State Border of the Republic of Belarus for exit by citizens of Belarus, as well as foreigners who have a permit for permanent or temporary residence in the territory of the Republic of Belarus, was temporarily suspended.¹⁶ The restrictions will apply at road checkpoints, simplified checkpoints, checkpoints at railway stations (stations) and river ports across the state border of Belarus. The ban does not apply to persons with diplomatic and service passports, official delegations, drivers of international road transport, crews of aircraft and ships, train crews, business travelers and some other categories.

Also Belarusians will be allowed to travel:

- upon notification of a serious illness or death of a close relative, spouse;
- to receive medical assistance upon presentation of documents confirming the purpose of this trip;
- having a residence permit or other valid document confirming the right to permanent residence in a foreign country — to the place of permanent residence;
- working on the territory of a foreign state — upon presentation of supporting documents (labor agreement (contract) with a foreign employer, work permit, permission to enter a foreign state for the specified purposes);

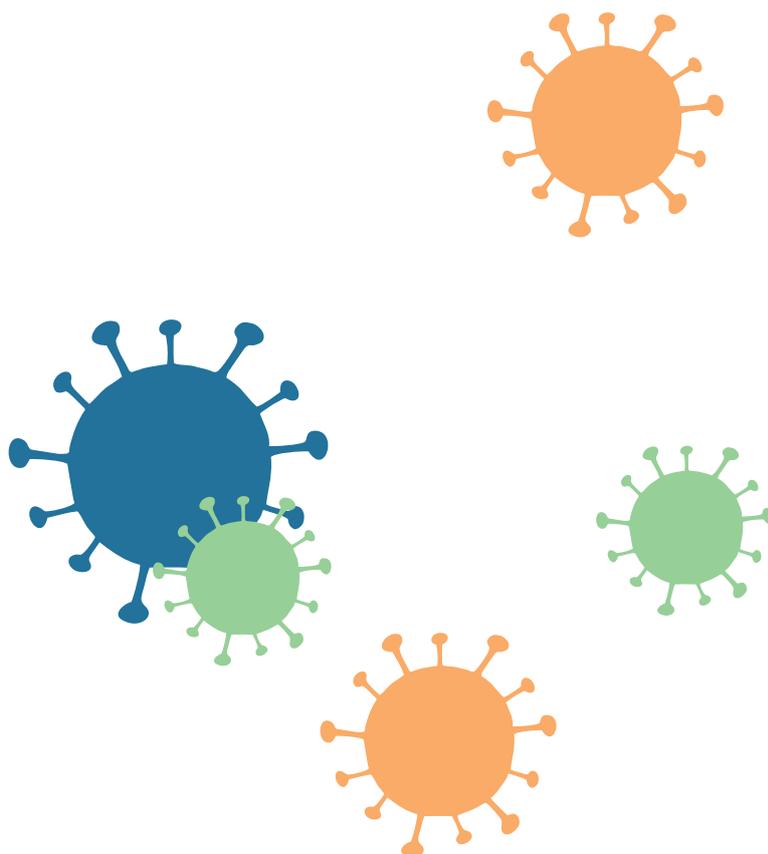
¹⁵ <https://spring96.org/be/news/96651>

¹⁶ Resolution of the Council of Ministers No. 705 of December 7, 2020.

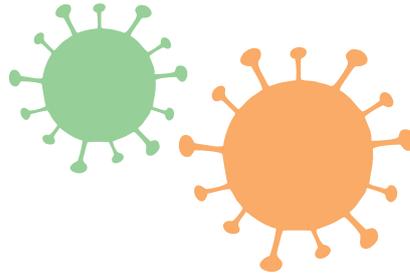
- for education in foreign educational institutions — upon presentation of documents confirming their education in foreign educational institutions, or documents of the educational institution of the Republic of Belarus on the referral to study.

Leaving for work, study, as well as those who have a residence permit in another country will be allowed no more than once within six months.

The above restrictions did not affect air checkpoints; moreover, Belavia did not cancel flights to states where a new virus strain (SARS CoV-2) was discovered¹⁷, which raises doubts about the appropriateness and proportionality of restrictive measures.



¹⁷ <https://news.tut.by/society/712158.html?c>



ELECTIONS

The main voting day in the presidential elections in the Republic of Belarus was scheduled for August 9, 2020. However, the COVID-19 pandemic has already made its own changes in the procedure for conducting the stages preceding the main voting day. For example, the conditions for monitoring the formation of PECs were changed and became less transparent: the relevant CEC Resolution No. 13 of May 8, 2020 made it possible to restrict access to representatives of NGOs (who nominated their observers) to meetings on the formation of precinct commissions. However, according to the human rights center Viasna and the Belarusian Helsinki Committee, in most cases representatives had the opportunity to attend meetings (78 %), but some observers were denied this opportunity without objective justification.¹⁸

At the end of June, the authorized bodies had not sent an invitation to international observers. Both the Foreign Ministry and the CEC stated that the issue of inviting international observers is being considered and depends on the epidemiological situation.¹⁹ However, this justification is questionable. So, at the end of June, 51 states were excluded from the list, whose citizens, upon arrival, must observe self-isolation for 14 days. 43 of them are OSCE states, that is, the leadership of Belarus has already recognized the presence of citizens of these states as safe on our territory. And the delay in inviting international observers was most likely political, not sanitary.

The CEC decided to limit the number of observers at polling stations due to the threat of the spread of COVID-19. This is stated in the decree of the Central Commission of Belarus on Elections and the Conduct of Republican Referendums of July 22.²⁰

On the day of the main voting, there could be no more than five observers at the polling station. During the early voting period, no more than three

¹⁸ <http://elections2020.spring96.org/be/news/97866>

¹⁹ <https://elections2020.spring96.org/be/news/97993>

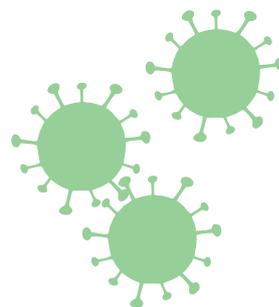
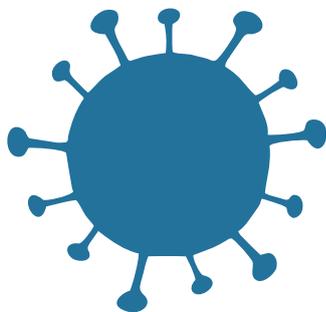
²⁰ <http://www.rec.gov.by/sites/default/files/pdf/2020/post115.pdf>

observers were allowed into the voting premises. At the same time, if the precinct commission consisted of seven people, no more than half of the composition of the commission could be present at its meetings and in the voting room as observers.

On August 9, the press center of the Central Election Commission of Belarus was opened “*due to the epidemiological situation*” only for the state press, namely the news agency BELTA, “SB. Belarus Today” and Belteleradiocompany. Journalists raised the issue of admitting journalists who had been ill with COVID-19, but this proposal was not supported by the CEC.

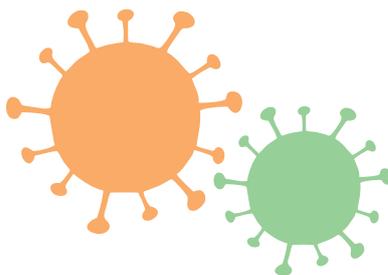
The CEC also refused to personally accept complaints and appeals from citizens in connection with the epidemiological situation. The Prosecutor General’s Office recognized the legality of such a decision.²¹

Despite the coronavirus, stationary buffets and artisan fairs functioned at polling stations in Minsk, and goods were tasted. Trade was also organized near polling stations (including during early voting on August 4–8 from 10:00 to 20:00).²²



²¹ https://interfax.by/news/policy/vnutrennyaya_politika/1279354/

²² <https://finance.tut.by/news695151.html>



IMPACT ON CERTAIN (VULNERABLE) GROUPS

PEOPLE IN CLOSED INSTITUTIONS

Against the background of the general situation with COVID-19, a special unjustified placement in a situation of risk was the sending of people detained for participating in peaceful meetings to serve administrative arrests. It should also be borne in mind that the very detention of the protesters took place without precautions: they were immersed in official cars with many other strangers, kept in cars and police departments for several hours without providing personal protective equipment and physical distancing measures. In these cases, the risk is associated with the fact that it is not known whether there were people with the virus among the detainees and militia officers.

In turn, in July, the Supreme Court of Belarus refused to take into account the difficult epidemiological situation in the country and the high risk of contracting coronavirus infection in closed institutions when making decisions by the courts on the choice of administrative arrest as a punishment measure. Thus, in terms of bringing people to administrative responsibility and choosing the type of penalty, the courts did not take into account the threat of coronavirus infection.

In the institutions of the penitentiary system, the practice of suspending short-term and long-term visits of prisoners continued for several months, and there were also problems with the non-admission of lawyers. The Belarusian National Bar Association (BNBA) has officially published on its website the information that “*the threat of coronavirus infection is still great*”.²³ Thus, BNBA justifies

²³ <http://rka.by/news/obrashchenie-k-advokatam-po-voprosu-subordinatsii/>

certain restrictions on the visits of lawyers to clients by the administration of secure facilities, which once again shows the problems of the independence of the legal profession in Belarus.

At the same time, the situation of people in closed institutions was complicated due to changes regarding transfers to the Center for the detention of offenders (CIP) and pre-trial prison (IVS). At first, on October 5, the reception of parcels was limited to one day a week, and in January the reception of parcels was completely stopped in the CIP and IVS in Akrestsina Street and in the IVS in Zhodino. The official reason for this decision is “*to ensure security and reduce the risks associated with the spread of COVID-19 on the territory of Belarus*”. The right to receive parcels is provided for by Article 18.7 of the Procedural Code of Administrative Offenses (PIKoAP). No decisions and regulations can worsen the situation of the administratively arrested in comparison with those described in the PIKoAP (Article 18.3 paragraph 2). Also, the internal regulations of places of serving administrative arrest provide for a closed list of cases in which parcels are not accepted and returned to the carrier. And the reason announced by the administrations of the institutions is not indicated there.

There is no causal link between the restriction of parcels and the spread of infection in the country. In addition, in the detention centers no other measures are taken to counteract the disease of people: cells are overcrowded, personal protective equipment is not provided, in the process of serving a sentence, people are moved from one cell to another. There is no public information that testing is being carried out within institutions to identify people with COVID-19 and prevent the spread of the disease.

It looked especially harsh against the background of prolonged frosts, when people could not get warm clothes and the necessary vitamins. The lack of changeable clothing and hygiene products creates unsanitary conditions, which has contributed to an increase in the incidence of diseases, including COVID-19, since personal protective equipment cannot be obtained. Thus, on the contrary, the ban on parcels contributed to an increase in the incidence. Since the institutions do not provide drinking water, the ban on parcels completely deprived people of access to safe drinking water. All this created cruel and inhuman conditions and contradicted Article 25 of the Constitution of the Republic of Belarus and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, to which Belarus joined.

Reception of ;parcels resumed only in February on certain days of the week.

PEOPLE WITH HOMELESSNESS EXPERIENCES

According to surveys of people who are experiencing homelessness, we know that city centers for the night (temporary) stay of homeless people in 9 cities continue to operate. Antiseptic agents have appeared in them, employees use masks, and a more careful medical examination is carried out upon arrival of people (they measure the temperature, check for signs of SARS). In Minsk, such a center allows people to stay around the clock and has allocated a separate room for people with primary symptoms of the disease. At the same time, the homeless, as before, are not provided with medical assistance for other diseases, and also not all of these centers can provide food, so they are forced to go out again. Non-profit organizations and initiatives that help the homeless also take additional measures, but do not receive assistance from the state.

PEOPLE WITH DISABILITIES

People with disabilities are more vulnerable to the spread of the virus, but public attention has so far focused only on the problems of those who are in residential institutions. In May, reports of sick residents in boarding homes continued to appear. These institutions are introducing additional measures to minimize the spread of coronavirus infection. First of all, visits are almost universally restricted. In the Gomel region, for example, employees of social institutions have been transferred to a rotational work method. They take care of the guests, provide them with assistance and live in the institution, without leaving its territory for 14 days. Such workers are equipped with places to sleep and rest, food is organized. But the state cannot provide institutions with personal protective equipment in the required amount: masks, respirators, gloves and suits. In a number of institutions, most of the residents fell ill.²⁴

FOREIGN CITIZENS

The spread of the coronavirus infection COVID-19 had a great impact on the situation of foreigners in Belarus. With the introduction of restrictive measures at border crossings and the suspension of transport links, many foreigners got “stuck” on the territory of Belarus. We have received a large

²⁴ <https://news.tut.by/society/685690.html>

number of requests from foreigners who could not leave Belarus due to the cancellation of flights to the country of their citizenship or permanent residence, the closure of borders by a number of countries, and coronavirus infection. Many foreigners who arrived in Belarus under the visa-free regime through the Minsk airport were forced to leave Belarus through ground checkpoints. At the same time, foreigners had to apply for exit visas at the Citizenship and Migration Department, which led to additional monetary costs and required more time. The government of Belarus refused to introduce any additional measures to resolve the current situation. At the official level, no normative legal documents governing the procedure for extending the temporary stay (registration) of foreigners in Belarus, expulsion (deportation/expulsion/extradition) of foreigners from the territory of Belarus in the conditions of closed borders of other countries have not been adopted.

At the end of March 2020, the head of the Department of Citizenship and Migration of Belarus announced the introduction of the practice of extending the periods of temporary stay (registration) of foreign citizens in Belarus who could not leave Belarus before the introduction of restrictive measures by other countries. Despite the declaration of such positive measures, the absence of a special regulatory legal act led to the fact that in practice some OGiMs refused to extend the period of temporary stay in Belarus for foreigners who were unable to leave the country amid the pandemic. So, we were approached by a citizen of Azerbaijan, to whom one of the Minsk militia departments refused to extend the period of stay in Belarus. The situation was resolved only after an appeal was sent to the Department of Citizenship and Migration with a request to convey the statement of the head about the extension of the deadline to the attention of employees of lower bodies.

In another case, an Indian citizen contracted a coronavirus infection in Belarus and was placed in self-isolation until he recovered. During this time, the period of his temporary stay in Belarus expired, and he applied to the OGiM for renewal of registration. OGiM employees refused to renew the registration and demanded his personal presence at the department of citizenship and migration, which was impossible to do without violating the rules of self-isolation and creating a risk of infection of other people.

On May 19, the President of Belarus signed a decree according to which a number of documents and certificates issued by Belarusian state bodies, which expire from April 30 to July 31, automatically continue to operate for another three months. This also applies to the registration of foreigners permanently residing in Belarus or those who work in diplomatic missions or international organizations. Thus, the rest of the foreigners, including those

who came to Belarus on a visa, within the framework of a visa-free regime, and temporarily residing in the country, were forced to continue to apply directly to the OGiMs.

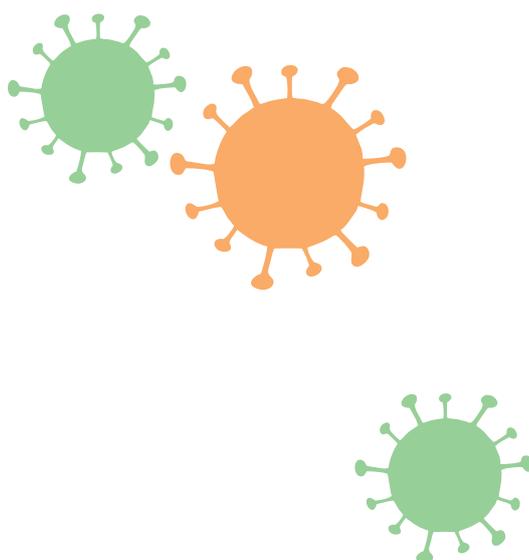
Due to the COVID-19 pandemic and closed borders, not only foreigners in Belarus, but also foreigners who could not return to Belarus, were in a difficult situation. According to Belarusian legislation, a permanent residence permit can be canceled if a foreigner holding such a permit has spent more than 183 days outside Belarus in a calendar year. Thus, a citizen of Ethiopia with a Belarusian residence permit was in the country of his citizenship for a long time and could not return to Belarus due to closed borders before the expiration of the specified 183 days. In relation to him, the OGiM began the procedure for canceling the Belarusian residence permit. A citizen of Russia and a citizen of Kazakhstan also contacted us with a similar problem.

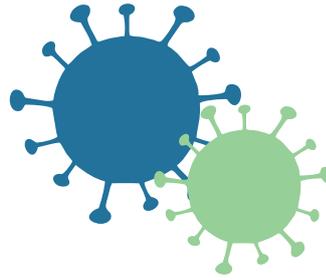
A problem was identified with the receipt by foreigners of official documents from abroad in cases where such documents cannot be obtained through the diplomatic missions of the countries of citizenship. As a result, some foreigners could not carry out administrative procedures (for example, marriage registration, obtaining a permanent residence permit) in Belarus and are still forced to be in uncertainty until the epidemiological situation improves. So, we were contacted by citizens of Moldova, Canada, Russia, Norway, who wanted to register a marriage in Belarus. At the moment, not all of them can obtain documents from the country of citizenship, since consular departments on the territory of Belarus do not carry out such procedures.

The procedure for obtaining a Belarusian permanent residence permit is also complicated, since according to the law, a foreigner is required to have a certificate of no criminal record obtained in the country of citizenship. According to the procedure, the OGiM can request information on the absence of a criminal record if the foreigner cannot provide them on his own. However, there were cases when employees of OGiMs refused such a request, despite the fact that foreigners could not independently leave for the country of citizenship and receive the specified certificate.

The state authorities also did not take additional measures designed to simplify the situation of foreigners who fell ill with COVID-19 in Belarus. Foreign citizens living and staying in Belarus on a visa or visa-free basis could receive medical care in the usual way on a paid basis. Since the coronavirus infection was included in the list of diseases that pose a threat to public health, foreigners who refuse treatment can be deported from Belarus.

With the introduction of restrictive measures due to the COVID-19 pandemic, the problem of timely expulsion (deportation/expulsion/extradition) of foreigners from the territory of Belarus in conditions of closed borders arose. At the official level, no attempts were made to resolve this problem — no special agreements were announced with other countries, or the organization of individual flights, etc. Such inaction created the risk of delaying expulsion and prolonged detention of foreigners in unacceptable conditions. We have received information about a Bangladesh citizen who has been in the center of isolation of offenders for almost a year, awaiting the execution of the decision on expulsion to the country of citizenship. The government authorities explained the delay in expulsion precisely by the lack of agreements with other countries and the impossibility of organizing the transfer to a Bangladesh citizen to the country of citizenship.





DISCRIMINATORY INCIDENTS

In the first months since the beginning of the spread of COVID-19 in Belarus, incidents occurred with the manifestation of everyday xenophobia in the metro and other public places in relation to people with presumably Asian origin (different statements, attempts to stay far from them in public transport) there was a case when a cab driver didn't let a guy from Kazakhstan into the car.²⁵ Two online petitions were also created demanding to restrict the entry of people from the PRC to Belarus.²⁶

Against the background of the coronavirus pandemic that continued in May, servicemen, in addition to their basic duties, were forced to continue preparations for the May 9 parade and participate in it.²⁷ There was no official information that the armed forces had new cases identified after the parade. However, there was information that “*those who were rehearsing had dozens of cases of pneumonia*” and about the placement in the gym of the military unit of beds for soldiers suspected of being infected with COVID-19 after participating in the parade rehearsal.

In June, COVID-discriminatory statements by the Minister of Culture of the Republic of Belarus Yuri Bondar attracted attention: the first was that “*normal people don't wear masks*”, and the second, that the Slavianski Bazaar festival will not be canceled and will be held from 16 to 20 July.²⁸ The position of the minister caused concern for a large number of people and special fears for cultural workers who were forced to work and be in a situation of risk.

Especially these statements and decisions sounded irresponsible after the news of the outbreak of coronavirus at the National Opera and Ballet Theater of Belarus in the middle of the month.²⁹

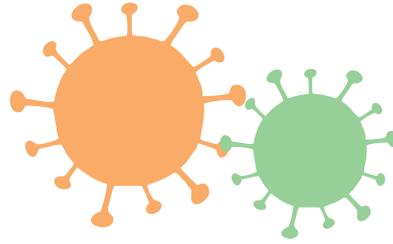
²⁵ <https://auto.onliner.by/2020/02/11/minsk-1537>

²⁶ <https://petitions.by/petitions/3400>, <https://petitions.by/petitions/3502>

²⁷ <http://www.legin.by/posts/210>, <https://petitions.by/petitions/3707>

²⁸ <https://news.tut.by/culture/689134.html>

²⁹ <https://news.tut.by/culture/688694.html>



FOOTBALL AND SOCIETY

In August and September, the games of the Higher, First, Second Leagues and the Cup of Belarus continued, as well as the tournament of duplicate teams. The players and employees of the clubs had to work and be in a situation of risk. As a result, several players and employees of different clubs were diagnosed with cases of COVID-19 infection. In September, the chairman of the football club “Naftan” Leonid Podlipsky, who was diagnosed with coronavirus, died.³⁰

In August, the practice of selectively postponing football matches became widespread. So, 2 games of the 21st round of the national championship, which were supposed to host the Minsk stadiums “Dynamo” and “Traktor” on August 7 and 8, were postponed to a later date due to “force majeure”.³¹ On August 20, the Belarusian Football Federation decided that the games of the Belarusian football championship in all leagues would be held without spectators.³² It was explained by the “current situation”. And already on September 2, 2020, the BFF sent a letter to the heads of the clubs, where it was noted that no more than 25 % of the tickets of the stadium capacity should be sold for the matches of the championship and the Cup of Belarus.³³ These measures are being taken to prevent the spread of COVID-19 infection. It should be noted that the first case of suspected coronavirus among football players of the national championship was recorded on May 10.³⁴ Subsequently, it was confirmed that the defender of the Minsk football club Yevgeny Chagovets was diagnosed with the coronavirus.³⁵

³⁰ <https://www.pressball.by/news/football/367939>

³¹ <https://www.pressball.by/news/football/364083>

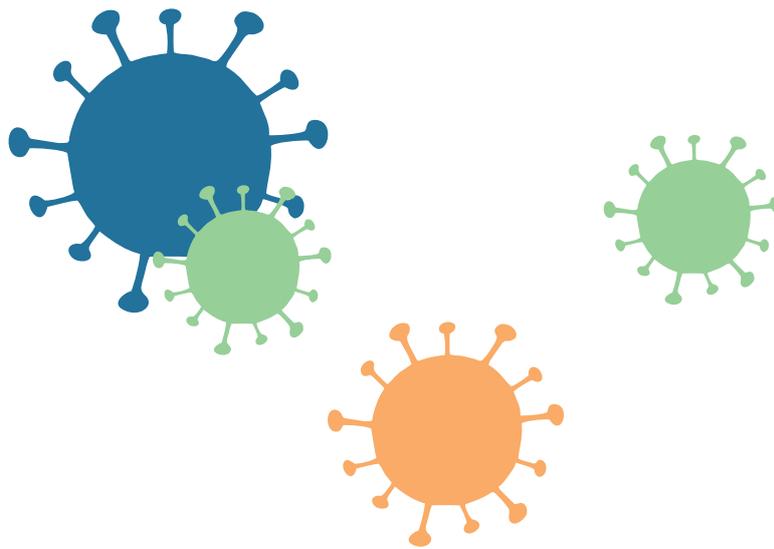
³² <https://www.belta.by/sport/view/blizhajshie-matchi-futbolnogo-chempionata-belarusi-projdet-bez-zritelej-na-tribunah-abff-403554-2020/>

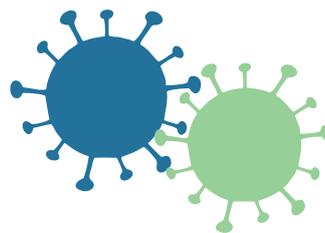
³³ <https://www.pressball.by/news/football/366047>

³⁴ <https://minsknews.by/glava-fk-minsk-u-odnogo-iz-igrokov-kluba-podozrenie-na-koronavirus/>

³⁵ <https://interfax.by/news/sports/futbol/1276426/>

In November, the tournaments in the Higher, First and Second leagues, the Cup of Belarus, as well as the tournament of duplicate teams continued. The players and employees of the clubs had to work and be in a situation of risk. As a result, several players and employees of different clubs were diagnosed with cases of COVID-19 infection. In this regard, some matches were postponed, but the championships continued.





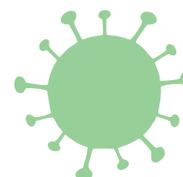
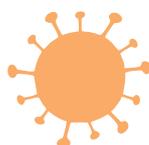
DIGITAL RIGHTS AND FREEDOMS

ACCESS TO OFFICIAL INFORMATION

The Ministry of Health does not publish detailed data on the dynamics of the spread of infection, and since April 17, it has stopped holding press conferences. It also does not respond to official requests for information from the editors of independent media. The practice of holding journalists accountable for cooperation with foreign media is now also applied in connection with articles and stories related to the epidemic.

As part of the fight against fake news, the authorities use such methods as official warnings from the Ministry of Information, administrative liability for the media, as well as deprivation of accreditation and expulsion (in the case of a journalist from a Russian TV channel). At the same time, media representatives say about the lack of official information and the unwillingness of officials to contact journalists of non-state media as the reasons for the appearance of false information.

The practice of mass digital surveillance is still not recorded, i.e. contact tracing or self-isolation through information and telecommunications technology. At least two cases of leakage or misuse of personal data (addresses and contacts of patients) collected by government agencies and organizations in the fight against the epidemic were recorded.



Human Constanta — is a Belarusian human rights organization.

We were registered in 2016, in Minsk. We work with human rights in three main areas:

- Protection of the rights of foreign citizens and stateless persons.
- Promotion of anti-discrimination and human rights education.
- Digital freedoms and rights.

Our mission

Promotion of public interests and joint action in response to modern challenges in the field of human rights in Belarus.

What are we doing?

- Helping others to defend their rights.
- We compare Belarusian laws and practices with the best foreign examples and human rights standards.
- We transfer this knowledge through educational activities.

Phone / WhatsApp +375 44 562 3842

E-mail: legal@humanconstanta.by

    / [humanconstanta](#)

