

Belarus Human Rights Index

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2024

Right Not to Be Subjected to Torture, Cruel, Inhuman or Degrading Treatment or Punishment Expert Commentary

The score:	2,8	-0,1
<i>Including scores by component:</i>		
• Physical and mental integrity of the individual	2,4	
• The prevention of torture, investigation and protection mechanisms	1,4	-0,1
• Treatment of persons subjected to any form of detention or imprisonment	3	-0,1
• Domestic violence	4,4	

A baseline description of the situation regarding the realization of this right is available in the 2019 [overview](#). When assessing the state of this right in 2024, Index experts assigned lower scores compared to 2023. **Among the main reasons** is the routinization of torture and other prohibited treatment – especially the use of force during arrest – including the normalization of prolonged incommunicado detention.

• Physical and mental integrity of the individual

No qualitative improvement has been observed in this component. Experts note a steadily narrowing flow of information on state-led persecution,¹ while the information that does become available confirms the continued routineness of torture and other prohibited treatment during arrest²,

¹ [Guarantees for the future ex-president and no indulgences for "extremist women": review of the fight against "extremism" in Belarus for January-March 2025](#)

² Human rights defenders continue to record brutal point detentions and raids, during which people are detained by law enforcers with automatic rifles and in full uniform - including in cases involving non-violent charges: among others, see <https://spring96.org/ru/news/115528>, <https://spring96.org/ru/news/115610>, <https://spring96.org/ru/news/114021>, <https://prisoners.spring96.org/en/person/dzmitryi-leanidavich-papkov>.



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administrative detention, custody, and in facilities for the restriction or deprivation of liberty.³

There remains no provision in law enabling accountability for *all acts of torture*: criminal liability for torture is still fragmented across various articles of the Criminal Code. The practice of recording and publishing "repentance videos" of detainees continues, as does the filming and dissemination of arrest footage showing excessive use of force.⁴ The use of physical and psychological pressure to extract confessions or to coerce individuals into petitioning for a pardon remains possible⁵. There is no evidence of meaningful improvement in the protection of children from any form of violence.

- **The prevention of torture, investigation and protection mechanisms**

The downgrade in expert assessment for this component was driven by the deteriorating situation regarding protection from refoulement to countries where individuals may face torture. During the reporting period, human rights defenders recorded instances of de facto expulsion of detained foreign nationals to the Russian Federation, carried out by transporting them across the border under the formal pretense of readmission, but without proper documentation⁶. This practice is particularly concerning in cases involving individuals without identity documents or with expired Russian visas. In the absence of official expulsion documentation, such individuals are left in a state of legal uncertainty at the Belarus-Russia border, significantly hindering the protection of their rights.

In general, in 2024, Human Constanta recorded a significant increase in the number of detentions and subsequent expulsions of foreigners from Belarus.⁷

No qualitative improvements were recorded in other indicators related to the prevention of torture, investigation, or protective measures. Torture and other forms of prohibited treatment continue to be widely used as an instrument of intimidation and obtaining information that is later used for persecution. Under these conditions, preventive training of law enforcement officers is either not

³ Viasna, Human Rights Situation in Belarus in 2024, p. 32: <https://spring96.org/en/news/117321>; "They could have been doused with a bucket of water and then hit with a stun gun". Stories of former political detainees: <https://spring96.org/en/news/117447>; <https://spring96.org/ru/news/114029>

⁴ Ibid.

⁵ <https://spring96.org/en/news/115980>; How and why the regime "beats out" petitions for pardon from political prisoners: <https://legin.info/posts/427>; among others, see also the story of former political prisoner Palina Sharenda-Panasiuk: "...Here a person is tortured and tortured, and at a certain point they are asked to write a petition for pardon. If the person does not surrender, they continue to torture him further. Then they come back to pardon him again. And you may not get out of here. "Your children will grow up without you," these are the words I heard from the representatives of DIN.": <https://spring96.org/ru/news/117400>, <https://spring96.org/en/news/115980>

⁶ See Human Constanta report "Humanitarian Crisis in Belarus and on the Border with the European Union in 2023-2024: Structural Analysis and Prospects": <https://humanconstantat.org/en/humanitarian-crisis-in-belarus-and-at-the-european-union-border-in-2023-2024-a-structural-analysis-and-perspectives/>

⁷ Ibid, p. 18



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conducted at all or remains largely ineffective. Unlawful actions by law enforcement officials still fail to trigger appropriate responses from competent bodies⁸. In practice, the standards of conduct for law enforcement personnel – including the rules for interrogating arrested, detained, or imprisoned individuals – are not observed.

In May 2024, Belarus submitted a communication to the Committee against Torture, in which the authorities deny the reliability of information about the systematic use of torture after 2020 and do not acknowledge the findings of the investigation conducted under Article 20 of the Convention against Torture on the fact of systematic use of torture in the territory of the Republic of Belarus.⁹

Furthermore, the judicial system and law enforcement remain ideologically driven and biased¹⁰; as a result, there is still no independent and impartial mechanism for investigating allegations of torture. The persistent atmosphere of fear and deep distrust in the justice system remains a further barrier to protecting victims of prohibited treatment.

Experts note a growing number of political prisoners being released, including individuals who were allegedly subjected to prohibited treatment – yet they continue to face a lack of access to fair and adequate compensation, including rehabilitation.

- **Treatment of persons subjected to any form of detention or imprisonment**

In 2024, human rights defenders continued to document the systematic creation of conditions in Belarusian penitentiary institutions that amount to torture – particularly in the case of political prisoners¹¹. According to Viasna, common forms of prohibited treatment included beatings, suffocation, forced maintenance of stress positions for prolonged periods, sensory assault (such as bright artificial lighting at night), the use of electric shock devices, sexualized violence¹², placement in overcrowded cells, extended solitary confinement in punitive isolation wards, and more.¹³

⁸ [Human rights situation in Belarus in 2024](#)

⁹ See Note Verbale of the Permanent Mission of the Republic of Belarus in Geneva of May 8, 2024: https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2FCAT%2FITB%2FBLR%2F10040&Lang=en .

¹⁰ [Human rights situation in Belarus in 2024](#)

¹¹ At the same time, it is noted that conditions in temporary detention facilities, due to general problems with equipment and unsanitary conditions, as well as failure to provide detainees with hygiene facilities, access to hot water and food, and adequate medical care, remain inhumane for detainees regardless of the presence of political motives for persecution: *ibid*, p. 33.

¹² On the particularly vulnerable situation of women see [Human rights situation in Belarus in 2024](#), as well as the story of former political prisoner Polina Sharendo-Panasiuk about the conditions of women's detention in the colony: Polina Sharendo-Panasiuk: "It was difficult both psychologically and physically to endure all these tortures".

¹³ [Human rights situation in Belarus in 2024](#)



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In 2024, amendments to the Correctional Code adopted in 2023 came into force: the maximum duration of a single placement of prisoners in a punitive isolation cell was increased from ten to fifteen days¹⁴. In practice, placement in punitive isolation cells and cell-type facilities still serves as an instrument of additional pressure on political prisoners: in some cases, people spend months in punitive isolation cells and cell-type premises.¹⁵

In the reporting period, experts emphasize the practice of prolonged (for some political prisoners – lasting the entire year) incommunicado detention of an increasing number of prisoners¹⁶. This practice is a significant factor in the lower score assigned to this component.

In 2024, four new deaths of political prisoners in custody became known. This brought the known total number of such deaths to seven¹⁷. Experts associate this, in part, with the lack of an adequate mechanism for independent medical examinations and documentation of bodily injuries, which undermines the possibility of timely intervention to mitigate risks to life and health.

Formal oversight mechanisms over conditions in places of deprivation of liberty continue to prove ineffective. Competent bodies, including prosecutorial authorities, fail to respond adequately to reports of prohibited treatment and incommunicado detention.

Public monitoring commissions likewise fail to detect violations of detention conditions at the facilities they visit¹⁸. As a result, formally operating civil oversight mechanisms remain ineffective. According to experts, only general mechanisms – such as sanitary inspections – retain even limited effectiveness under current conditions.

● Domestic violence

Experts report no meaningful changes in the area of protection from domestic violence in Belarus.

Criminal liability for domestic violence, including marital rape, remains absent. Legislative efforts to address domestic violence are still largely limited to the Law “On the Fundamentals of Crime Prevention”. A significant part of the elements under which criminal cases can be initiated remain private prosecution cases, placing the burden of initiating proceedings and gathering evidence on the victim. This also allows for the termination of proceedings if the parties reconcile¹⁹.

¹⁴ See the new wording of Article 112 of the Criminal Executive Code; Law of the Republic of Belarus of 08.01.2024 N 349-3 “On Amending the Codes on Criminal Responsibility”: [Law of the Republic of Belarus of January 8, 2024 N 349-3 “On Amending the Codes on Issues of Criminal Liability”](#)

¹⁵ [Human rights situation in Belarus in 2024](#), p. 12

¹⁶ Ibid, p. 11

¹⁷ Ibid.

¹⁸ https://minjust.gov.by/directions/compare_coverage/public_control/;
<https://brestjust.gov.by/news/poseshchenie-ispravitelnykh-uchrezhdeniy/>

¹⁹ <https://news.zerkalo.io/life/85491.html>



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No evidence of improvement in either legislation or practice was recorded in 2024, and the effectiveness of newly introduced prevention and response mechanisms remains difficult to assess. The state continues to withhold relevant statistical data²⁰. Isolated high-profile cases of domestic violence, and sanctions imposed – often in violation of international standards – either on the perpetrator or the victim, have been reported in the media²¹. However, the channel of publicity through independent media remains dangerous for victims themselves due to the criminalization of any interaction with such media under the state’s “anti-extremism” regulations.

Against the background of persistent fear and the politicization of law enforcement, there are grounds to speak of widespread public distrust – particularly among victims of domestic violence – toward competent authorities, who may factor in the victim’s perceived political loyalty when considering their complaints²². In addition, experts note a general low level of public awareness of available mechanisms of assistance for victims of domestic violence.

Ongoing pressure on lawyers continues to reduce access to qualified legal assistance. By the end of 2024, there were 55 districts in Belarus where only one lawyer served several thousand (or in some cases, several tens of thousands) residents. The total number of legal professionals in the country had decreased by 27% compared to 2020²³.

²⁰ <https://news.zerkalo.io/life/79065.html>

²¹ Ibid; <https://news.zerkalo.io/life/79065.html>, https://news.zerkalo.io/life/78061.html?utm_source=editorial_block&utm_campaign=recirculation_tut&utm_medium=read_more, <https://news.zerkalo.io/life/65233.html>

²² Belarusian feminist and activist Nasta Bazar: *“We know situations when women are blackmailed by their husbands, saying that if you go to the police, I will show pictures from the protests. These are the same men who were also at the protests”*: [Sexualized harassment in Belarusian civil society abroad: survey results and recommendations](#); [Belarusian women were asked about harassment](#).

²³ [How Has Access to Legal Aid Changed in Belarus in 2024?](#)



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